Federal Regulatory Plan 1992

Treasury Board Secretariat
Administrative Policy Branch
Regulatory Affairs

92-02120/

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Copies of this publication may be obtained from:

Treasury Board of Canada
Distribution Centre
Ottawa, Ontario
K1A 0R5
Tel.: (613) 995-2855

Catalogue No. BT57-2/1992E
ISBN 0-662-19258-3

The Plan is also available on disquette and on-line through the Info Source database.

Catalogue No. BT57-2/1992E-MR

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Message from the President of the Treasury Board

As Minister responsible for Regulatory Affairs, I am pleased to present the 1992 edition of the annual **Federal Regulatory Plan**. This publication provides a preview of the government's anticipated regulatory activity in the coming year.

When I became responsible last February for the government's Regulatory Policy, I committed myself to ensuring that, in making regulations, departments will

- consult affected parties;
- pre-publish draft regulations; and
- demonstrate a "net benefit" to Canada.

This openness of process is key to the government's approach to regulation-making, and the **Federal Regulatory Plan** is one tool to help make that happen.

The entries reflect a broad range of initiatives. In some cases, existing regulations will be streamlined, simplified, or eliminated, to contribute to the development of a more competitive Canada. In other instances, new regulations will be developed in pursuit of the government's social objectives, from occupational health and safety to the protection of the environment. Few in Canada will not be affected by the regulatory proposals contained in this year's Plan.

Included in each entry is the name, address, and telephone number of a contact person so that everyone with an interest in the issue has the opportunity to participate as the regulations are being drafted. Please consider the Plan as your invitation to contribute.

Gilles Loiselle

phonetically

Introduction

The Guiding Principles of the Federal Regulatory Policy and the Citizen's Code of Regulatory Fairness, adopted as government policy in 1986, refer to public participation as a key element of the federal regulatory process. For the process to work well – for regulation to be sensitive to the needs of Canadians – it is critical that interested parties make government departments and agencies aware of their concerns about Regulations before they become law.

The *Federal Regulatory Plan* fills this purpose. Published and distributed in December each year, the Plan provides the public with an early opportunity to participate in the regulatory process. A further chance comes when the detailed text and analysis of impacts of Regulations are prepublished in the *Canada Gazette*, Part I.

The 1992 *Federal Regulatory Plan* lists over 700 possible initiatives identified by departments and administrative or independent regulatory agencies.

The Plan does not include all proposed Regulations in the earliest stages of development, nor can it include those Regulations which will be put in place to respond to unforeseen circumstances. In addition, public responses to the initiatives in the Plan can result in reconsideration or withdrawal of some proposals. Consequently, not all items will necessarily be implemented in 1992

The 1992 Plan informs readers whether the initiative is new or a repeat from a previous Plan. This information is intended to assist the public with its consultation on regulatory items.

New to this year's Plan is a section giving a brief progress report on initiatives included in the 1991 Plan. This is in response to the Auditor General's 1989 recommendation that "the annual *Federal Regulatory Plan* should contain information allowing interested parties to track the status of proposed Regulations from year to year."

Also new is the layout of the 1992 Plan. It has been redesigned to reduce the size of the publication and improve readability. We hope this revised format will help you find the information you need quickly and make the Plan easier to read. The 1992 Plan is also available on-line through the *Info Source* data base or on diskette.

Comments about individual regulatory proposals should be directed to the contact person identified under each item. Comments about the overall Plan are most welcome and should be directed to Regulatory Affairs, Treasury Board Secretariat, 140 O'Connor Street, Ottawa, Ontario, K1A 0R5, Tel. (613) 952-3459.

Guiding Principles of the Federal Regulatory Policy

The Regulatory Reform Policy which guides federal regulatory action is aimed at promoting greater economic and administrative efficiency while maintaining the protection of the public. The following guiding principles, constituting the policy, were announced on 17 February 1986.

1. Regulation is and will remain a necessary and important instrument for achieving the government's social and economic objectives. However, the government intends to "regulate smarter."
2. The government recognizes the vital role in the economy of an efficient marketplace and a dynamic entrepreneurial spirit and that regulation should not impede their operation without the most persuasive justification.
3. The government intends to limit as much as possible the overall rate of growth and proliferation of new regulation while protecting the public wherever appropriate.
4. With regard to existing regulatory programs, priority will be placed on reforming ineffective or economically counterproductive regulation, but there will be no program of wholesale deregulation. On a case-by-case basis, there will be reduced regulation where the practical interests of the economy and job creation call for it, just as there will be improved and even intensified regulation where public protection requires it.
5. Regulation entails social and economic costs, and the government will evaluate these costs to ensure that benefits clearly exceed costs before proceeding with new regulatory proposals.
6. Regulation is legislation and, as such, will be brought more fully under the control of elected government representatives and subject to more effective review by Parliament.
7. The public has an important role to play in the development of regulation, and the government will increase public access and participation in the regulatory process while simplifying procedures and restricting legalities to a minimum.
8. The federal regulatory system will be streamlined and made more efficient and effective to reduce costs, uncertainties and delays.
9. The government will place priority on increased regulatory co-operation with the provinces to address the overall regulatory burden on Canadians and to eliminate wasteful duplication.
10. A minister will henceforth be assigned specific responsibility for regulatory affairs including improved management of the system and overall implementation of the government's regulatory policy and reform strategy. Individual ministers with regulatory mandates will be responsible for implementing and exercising their responsibilities in conformity with the spirit and objectives of this policy.

The Citizen's Code of Regulatory Fairness

1. Canadians are entitled to expect that the government's Regulations will be characterized by minimum interference with individual freedom consistent with the protection of community interests.
2. The government will encourage and facilitate a full opportunity for consultation and participation by Canadians in the federal regulatory process.
3. The government will provide Canadians with adequate early notice of possible regulatory initiatives.
4. The government will take measures to ensure greater efficiency and promptness in discretionary and adjudicative regulatory decision making.
5. Once regulatory requirements have been established in law, the government will communicate to Canadians, in clear language, what the regulatory requirements are, and why they have been adopted.
6. The rules, sanctions, processes and actions of regulatory authorities will be securely founded in law.
7. The government will ensure that officials responsible for developing, implementing or enforcing Regulations are held accountable for their advice and actions.
8. The government will take all possible measures to ensure that businesses of different size are not burdened disproportionately by the imposition of regulatory requirements.
9. The government will ensure that the governments of the provinces and territories are given early notice and adequate opportunity to consult on federal regulatory initiatives affecting their interests.
10. The government will not use regulation unless it has clear evidence that a problem exists; that government intervention is justified; and that regulation is the best alternative open to the government.
11. The government will ensure that the benefits of regulation exceed the costs and will give particularly careful consideration to all new regulation that could impede economic growth or job creation.
12. The government will avoid introducing Regulations that control supply, price, entry and exit in competitive markets except when overriding national interests are at stake.
13. The sanctions and enforcement powers specified in federal regulatory legislation will be proportionate and appropriate to the seriousness of the violation.
14. The government will enhance the predictability of the exercise of discretionary powers by federal regulatory authorities and ensure, to the maximum extent possible, inter-regional consistency in the administration of Regulations.
15. The government will encourage the public to exercise its duty to criticize ineffective or inefficient regulatory initiatives and to offer suggestions for better or "smarter" ways of solving problems and achieving the government's social and economic objectives.

Agriculture Canada

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General Information

Roles and Responsibilities

Agriculture Canada is responsible for developing and implementing policies and programs conducive to the development of business opportunities in the agri-food sector, while at the same time assuming a dependable supply of safe and nutritious food at reasonable prices to consumers and equitable returns to producers and processors. Programs are established and maintained for the benefit of the agri-food sector, as well as for regional and international development. In addition, the department attempts to enhance programs within the overall framework of federal government policies, priorities and commitments in the areas of socio-economic development, emergency situations and international relations.

In fulfilling its role, the department is responsible to three principal clients groups: consumers, producers and processors, distributors, wholesalers and retailers.

The objective of the department is to provide a stable economic environment for sound business decisions by Canadian agricultural producers. The safety, quality and marketability of agri-food products are important priorities of the department. Emphasis has also been placed on income stabilization programs and program measures to assist in the financial and credit needs of agricultural operations.

Legislative Mandate

The following Acts are administered by the Department of Agriculture:

- Advance Payments for Crops Act
- Agricultural Products Cooperative Marketing Act
- Agricultural Products Marketing Act
- Animal Pedigree Act
- Appropriation Acts*
- Canada Agricultural Products Act
- Canada Grain Act
- Canadian Dairy Commission Act
- Canadian Wheat Board Act
- Criminal Code*
- Department of Agriculture Act
- Experimental Farm Stations Act
- Farm Credit Act
- Farm Debt Review Act
- Farm Improvement and Marketing Cooperatives Loans Act
- Farm Improvement Loans Act
- Farm Income Protection Act
- Farm Products Marketing Agencies Act
- Farm Syndicates Credit Act
- Feeds Act
- Fertilizers Act
- Financial Administration Act*
- Grain Futures Act
- Hay and Straw Inspection Act
- Health of Animals Act
- Inland Water Freight Rates Act
- Livestock and Livestock Products Act
- Livestock Feed Assistance Act
- Meat Import Act
- Meat Inspection Act
- Pest Control Products Act
- Pesticide Residue Compensation Act
- Plant Breeders' Rights Act
- Plant Protection Act
- Prairie Farm Rehabilitation Act
- Prairie Grain Advancement Payments Act
- Seeds Act

* Acts which themselves are not administered by the Department of Agriculture, but having one or more Regulations which are.

Initiatives

AGR-1

Agricultural Products Marketing Act – Various Orders

Various Orders delegating authority to provincial marketing boards to regulate the marketing of agricultural commodities in interprovincial and export markets are anticipated throughout 1992. There are currently 162 Orders under the Act. Approximately 10 new Orders and 15 amendments are forecast for 1992.

The delegation of authority contributes to increased organization and other improvements in the marketing systems for agricultural products, in both interprovincial and export trade. Producers will usually benefit through higher and more stable net incomes. Consumers also benefit, for example, through improvements in product quality and availability.

This is a recurring initiative which appeared in the 1991 Regulatory Plan as 1-AGR.

Expected Date of Publication: Various dates throughout the year

Contact: Des Doran, Senior Co-ordinator, National Programs Directorate, Agri-Food Development Branch, Agriculture Canada, Sir John Carling Building, Room 5111, 930 Carling Avenue, Ottawa, Ontario, K1A 0C5. Tel. (613) 995-9554

AGR-2

Dairy Products Regulations – Accredited Laboratories

The analysis of dairy products for certification purposes may be carried out by private laboratories designated by the Minister of Agriculture as accredited laboratories. The Canada Agricultural Products Act provides for the making of

Regulations to accredit laboratories performing these analyses. The Dairy Products Regulations will be amended to incorporate these provisions.

The intent of this regulatory initiative is to prescribe the terms and conditions by which a private laboratory may become an accredited laboratory. These new Regulations will include audit procedures whereby Agriculture Canada may verify compliance with the accreditation standards as well as provisions for applications and fees, and suspension, cancellation and renewal of accreditation. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to all interested parties.

This is a new initiative.

Expected Date of Publication: First Quarter, 1993, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-3

Dairy Products Regulations – Exemptions

In the marketing of agricultural products for which standards have been established in the Regulations, it is often necessary to move products which do not meet some requirement of the Regulations across provincial or national boundaries. The Regulations will be amended to introduce specific exemption provisions permitted under the Act.

The intent of this regulatory initiative is to remove regulatory barriers to the trade and marketing of agricultural products in cases where there is a reasonable need to do so by way of exemptions to various grading, inspection, packaging and labelling requirements. Such cases may include a need to alleviate shortages due to natural disasters or the loss of production or processing facilities, the movement of ungraded or unlabelled products in bulk to reduce costs and to facilitate the test marketing of new products or technology. There will be no costs to the industry or public associated with these amendments. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to interested parties.

This initiative appeared in the 1991 Regulatory Plan as 12-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-4

Dairy Products Regulations – Pasteurization Standards

The Canadian Milk Quality Standards Committee, a joint committee of Agriculture Canada, Health and Welfare Canada, the provincial departments of Agriculture and the National Dairy Council, working under the auspices of the National Liaison Group on Milk Product Quality, identified a need for comprehensive uniform minimum standards for pasteurizers and pasteurization. The Dairy Products Regulations will be amended to incorporate these new standards.

The intent of this regulatory initiative is to prescribe uniform national pasteurization standards for dairy products which are in harmony with provincial standards. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to interested parties.

This is a new initiative.

Expected Date of Publication: First Quarter, 1993, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-5

Dairy Products Regulations – Rewrite

The Dairy Products Regulations were last consolidated in 1979. Since then numerous amendments have been made, including amendments associated with a uniformity of Regulations project undertaken by the Food Inspection Directorate. These Regulations are in need of rewriting to improve and simplify their organization and presentation.

Rewriting the Dairy Products Regulations will make them easier to use by inspectors and the industry they regulate. This is expected to facilitate the uniform application of the Regulations as well as encourage compliance by the industry. Other than the re-arranging of areas of the Regulations and the use of uniform and improved wording, there will be no change to the content or meaning of the Regulations and there will be no costs to the industry or public associated with the amendments.

This initiative appeared in the 1991 Regulatory Plan as 14-AGR.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-6

Egg Regulations – Nest Run/Jumbo

There are currently three national grades for eggs: Canada A, Canada B and Canada C. Within the Canada A grade, eggs are also designated according to weight into one of five size categories: extra large, large, medium, small or peewee. It is proposed to establish an additional grade category to be called Canada nest run, and an additional size designation to be termed jumbo.

The Canada nest run grade will facilitate the marketing of eggs to registered processed egg stations where they will be broken and treated to produce a variety of processed egg products. Grading costs for the new grade will be minimized since the standards will relate to egg shell integrity and cleanliness rather than interior egg condition. Establishing an optional size designation termed jumbo for Canada A eggs which weigh at least 70 grams will provide Canadian consumers with a standardized category for heavy eggs.

and will achieve greater harmonization with American standards.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Richard Robinson, Chief, Livestock Identification and Legislation, Meat and Poultry Products Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9.
Tel. (613) 995-5433

AGR-7

Feeds Regulations – Manufacturing

Currently, the Feeds Act and its Regulations apply only to products offered for sale, manufactured or imported. This amendment will provide authority to regulate manufacturing establishments, thereby preventing the distribution of unsafe or ineffective products.

This will also satisfy obligations under the Canada-US Free Trade Agreement regarding the harmonization of inspection procedures.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Goldrosen, Plant Products Division, Food Production and Inspection Branch, Agriculture Canada, K. W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-8

Feeds Regulations – Minor and Editorial Updates

Additions, modifications or deletions of feed ingredients in Schedule IV (Feed Ingredients) and Schedule V (Flavouring Agents), and revision of nutrient levels in Table IV (Range of Nutrient Guarantees for Complete Feeds For Use In The Exemption Of Feeds From Registration) of Schedule I are required on a routine basis. General housekeeping changes to the Feeds Regulations including editorial amendments, updates and correction of translation errors are also included.

These amendments are necessary in order to keep the Regulations current. They will benefit industry since they respond to concerns regarding the uniformity and clarity of Regulations.

This initiative appeared in the 1991 Regulatory Plan as 17-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Goldrosen, Technical Services Officer, Plant Products Division, Food Production and Inspection Branch, Agriculture Canada, K.W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-9

Fertilizers Regulations – Minor Revisions

This proposal makes general housekeeping changes to the Fertilizers Regulations, which include editorial amendments, correction of translation errors, and amendments to update Schedule II, Names and Standards of Fertilizers and Supplements.

The proposed changes will benefit all parties referring to the Regulations by keeping them current.

This initiative appeared in the 1991 Regulatory Plan as 20-AGR.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Ramsay, Plant Products Division, Food Production and Inspection Branch, Agriculture Canada, K.W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-10

Fertilizers Regulations – Temporary Registration

Under the current Fertilizers Act and Regulations, full product registrations are allowed for a maximum period of two years. A proposal has been developed by the Plant Products Division to provide allowance for temporary registration that would extend for a period of one year or less. This would allow new products that have been proven safe to human health and the environment, to enter the marketplace when efficacy has been partially demonstrated. This initiative would allow promising new products to reach the market sooner, (i.e., enhancing industry competitiveness) and new product development would be more attractive to industry. Consumers would have access to these new products sooner. Government would benefit by having a year to see the results of the product in the hands of the user before agreeing to final labelling provisions and full registration.

This initiative appeared in the 1991 Regulatory Plan as 22-AGR.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Ramsay, Plant Products Division, Food Production and Inspection Branch, Agriculture Canada, K.W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-11

Fresh Fruit and Vegetable Regulations – Grapes/Blueberries

The grade standards for fresh grapes and fresh blueberries are being reviewed by Agriculture Canada in co-operation with Canadian producer organizations. This review may lead to amendments to these grade standards under the Fresh Fruit and Vegetable Regulations.

The intent of this regulatory review is to determine the adequacy of the present Canadian standards for fresh grapes and fresh blueberries and to identify changes which may be necessary to update these grade standards and make them compatible with the latest cultural and harvesting practices. There will be no costs to the industry or public as a result of these amendments. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to all interested parties.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-12

Fresh Fruit and Vegetable Regulations – Labelling

The packaging and labelling provisions of the Regulations are currently being reviewed in light of changes in technology and marketing practices which have occurred in recent years.

The intent of this initiative is to update the packaging and labelling requirements of the Regulations, where necessary, to facilitate the marketing of fresh fruit and vegetables in interprovincial and international trade. Costs will be limited to the regulatory amendment process. Information about the changes will be published in an Agri-Food Information Letter which will be sent to all interested parties.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 25-AGR.

Expected Date of Publication: First Quarter, 1993, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-13

Hatchery Regulations – Revision

This amendment will make these Regulations consistent in format and content with other commodity Regulations administered by the Food Inspection Directorate as they relate to suspension and cancellation of a permit for violation of the Act or Regulations. Registration and maintenance provisions for hatcheries will be similar to other commodity Regulations for greater ease in understanding, interpretation and application for both industry and government. Provisions are included in the amendment to prescribe conditions of cleanliness of chick-transport vehicles to control disease.

This initiative appeared in the 1991 Regulatory Plan as 27-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Malcolm Getz, Chief, Poultry Meat and Hatchery Inspection, Meat and Poultry Products Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-14

Hay and Straw Inspection Regulations – Revision

The current Hay and Straw Inspection Regulations are out of date and of little benefit to the hay industry. A proposed model for hay grading certification has been developed by the Feed Section, Plant Products Division to replace the current set of Regulations. The introduction of a hay certification system will facilitate the interprovincial and international marketing of hay. The new certification system will more accurately describe the quality of the hay being sold. Consultations with affected industries have been ongoing.

This initiative appeared in the 1991 Regulatory Plan as 28-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Goldrosen, Technical Services Officer, Plant Products Division, Food Production and Inspection Branch, Agriculture Canada, K.W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-15

Health of Animals Regulations – Brucellosis and Tuberculosis Eradication

The Regulations implementing the brucellosis and tuberculosis eradication programs will be amended to revoke or amend the current Regulations to reflect the reduced level of control required as a result of Canada becoming free of brucellosis and tuberculosis; implement the Canadian Health Accredited Herd Plan and revoke the current herd plans dealing with brucellosis and tuberculosis; amend the regulatory requirements for an eradication area recognized as a tuberculosis- or brucellosis-free area; strengthen the program to eradicate brucellosis and tuberculosis in captive wild ungulates; remove bison from the definition of a bovine; and strengthen the requirement that people who buy and sell animals keep records.

The amendments will reduce the impact of the Regulations on the majority of people who raise and handle livestock in recognition that the Canadian national cattle herd is free of tuberculosis or brucellosis infection. The impact of the specific amendment strengthening eradication programs for captive wild ungulates will be minimal since the impact on individual owners whose animals are found to have a disease will not change.

This initiative appeared in the 1991 Regulatory Plan as 2-AGR.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Maria Koller, Chief, Control Programs, Animal Health Division, Halldon House, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-16

Health of Animals Regulations – Foreign Animal Disease

Regulations will be developed providing authority to the department to eradicate outbreaks of serious animal diseases. It will include controlling the movement of people, vehicles, and animals within zones designated by the Minister. The Regulations will also describe the conditions under which the department could decide vaccination against disease is necessary as well as whether movement controls will be put on vaccinated animals. Vaccination of animals for foreign animal diseases will only be done where it is not feasible to eradicate the disease immediately by test and slaughter.

Vaccination could reduce the number of slaughtered animals. However, Canada would lose the trade advantage of being considered foot and mouth free and Canada's major trading partners would prohibit the importation of susceptible animals and their products until vaccination had stopped. The economic losses of exports due to failure to eradicate a disease or to continue to vaccinate could be approximately $1.7 billion per year.

This initiative appeared in the 1991 Regulatory Plan as 9-AGR.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1993, *Canada Gazette*, Part II

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AGR-17

Health of Animals Regulations – Import Animal Products and By-products

The Regulations will be amended to ensure they are in line with current policies including removing the requirement that a permit be obtained for the importation of animal semen from the United States if the semen originates from and never left the United States; ensuring that the regulatory base for the present control program dealing with the importation of animal products and by-products is satisfactory; allowing the department to issue permits for the importation of certain animal products or by-products if the products meet conditions set out in the permit; allowing the department more flexibility in controlling the importation of animal products and by-products; providing for the treatment of feedstuffs imported from countries which are not free from certain diseases; and controlling the importation of feedstuffs which could introduce certain diseases not previously identified.

The amendments will update the Regulations to concur with present policy and increase the flexibility of the department in controlling the importation of animal products and by-products. The number of animal products and by-products that can be imported and the number of countries from which they can be imported will increase. This could result in increased competition for animal products and by-products produced in Canada.

This initiative appeared in the 1991 Regulatory Plan as 4-AGR.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: W. Stadder, Chief, Import Animal Products and By-products, Animal Health Division, Halldon House, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-18

Health of Animals Regulations – Importation of Animals

The Regulations will be amended to: update the section on the control on the importation of ruminants other than cattle, sheep and goats from the United States; update the regulatory controls which allow animals to travel through Canada; revise the Regulations dealing with the movement of imported animals from port of entry to quarantine as well as the Regulations governing the quarantine of animals in order to ensure the Regulations provide adequate control; add certain species to Section 20 so that they will require health certificates in the future; and add freedom from the disease salmonella enteritidis to the requirements for the importation of poultry and hatching eggs.

The overall impact on most importers will be minimal. However, it will decrease the regulatory impact on some types of animals while at the same time ensuring the Regulations are effective in preventing the introduction of animal disease. Changing species named in Section 20 will require certification and increase the costs of importation. The addition of salmonella enteritidis could interfere with the importation of some birds and hatching eggs from the United States. However, certain types of this bacteria are recognized as causing severe food-borne disease in humans.

This initiative appeared in the 1991 Regulatory Plan as 3-AGR and 5-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: W.J. McElheran, Chief, Import Animals and Quarantine, Animal Health Division, Halldon House, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-19

Health of Animals Act – Prohibition Orders

Emergency Orders under Section 14 of the Health of Animals Act are made by the Minister of Agriculture to prohibit the importation of animals and other items which might introduce a serious foreign animal disease into Canada. They are usually in response to a disease outbreak or other similar emergency in a country that exports to Canada.

Prohibition Orders do have an impact on importers. However, they are accepted by the industry as an alternative to prohibiting trade on a permanent basis or allowing disease to enter Canada. These Orders do not usually affect the Canadian public or the agriculture industry as a whole, but are restricted to the exporting companies in other countries and to the importer in Canada.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 8-AGR.

Expected Date of Publication: As required

Contact: Brian Peart, Chief, Regulatory Affairs, Animal Health Division, Halldon House, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-20

Hog Carcass Grading Regulations, 1986 – Index Table/Sow Grades

Hog carcasses in Canada are graded according to their lean meat yield content by either an electronic probe or a ruler. There are 17 possible lean yield classes to which a carcass can be assigned. Once the yield class is established for a carcass, it, along with carcass weight, will determine the index value for that carcass. The index value is the basis of price settlement between the producer and the abattoir for a carcass. It is proposed to reduce the number of lean yield classes from 17 to 7 which will improve the accuracy of grading. It is also proposed to modify the index values so that lean carcasses in the 75 to 85 kg range are receiving the highest indices.

Sows are mature female pigs used for breeding purposes. Currently there are only two possible grades for sow carcasses based on a subjective evaluation of the carcass. It is proposed to establish seven grades for this type of carcass based on an objective carcass fat measurement. It is anticipated that both hog producers and the meat-packing industry would benefit from the introduction of a more equitable settlement system for sow carcasses.

The portion of this item dealing with sow carcasses appeared in the 1991 Regulatory Plan as 29-AGR.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Richard Robinson, Chief, Livestock Identification and Legislation, Meat and Poultry Products Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-21

Honey Regulations – Exemptions

In the marketing of agricultural products for which standards have been established in the Regulations, it is often necessary to move products which do not meet some requirement of the Regulations across provincial or national boundaries. The Regulations will be amended to introduce specific exemption provisions permitted under the Act.

The intent of this regulatory initiative is to remove regulatory barriers to the trade and marketing of agricultural products in cases where there is a reasonable need to do so by way of exemptions to various grading, inspection, packaging and labelling requirements. Such cases may include a need to alleviate shortages due to natural disasters or the loss of production or processing facilities, the movement of ungraded or unlabelled products in bulk to reduce costs and to facilitate the test marketing of new products or technologies. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to interested parties.

This initiative appeared in the 1991 Regulatory Plan as 30-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-22

Honey Regulations – Operations and Trade

Amendments to these Regulations are part of a project to make the various commodity Regulations administered by the Food Inspection Directorate as uniform in wording as possible. Existing provisions will be reworded, and provisions related to the operation of registered establishments and to the import, export and interprovincial trade in honey will be strengthened and clarified.

The intent of this regulatory initiative is to make it easier for food processors who handle a variety of food commodities to comply with the various Regulations as these will contain identical or very similar requirements. Also enforcement action taken by inspectors will be made more uniform. Honey producers may be expected to incur some additional costs associated with more stringent sanitation requirements. Information about the proposed changes was published in an Agri-Food Information Letter in 1991 and will be sent to all interested parties.

This initiative appeared in the 1991 Regulatory Plan as 32-AGR.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-23

Lamb and Mutton Carcasses Grading Regulations – Classification

The grade criteria in the Regulations are the basis for evaluating the quality and yield of lean meat from lamb carcasses. These criteria however are considered too subjective and not applicable to milk-fed or light-weight lambs. Agriculture Canada has been researching more objective techniques of carcass assessment such as the use of electronic probes. It is proposed to implement a classification system rather than a grading system for lamb and mutton carcasses. Each carcass would be evaluated and assessed for specific important carcass characteristics and the information recorded to facilitate carcass marketing. An overall carcass grade would not be assigned to a carcass. The more extensive information on a classified carcass would benefit all sectors ranging from producers to retailers and ultimately consumers by enabling a timely response to market signals.

This initiative appeared in the 1991 Regulatory Plan as 33-AGR.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Richard Robinson, Chief, Livestock Identification and Legislation, Meat and Poultry Products Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-24

Licensing and Arbitration Regulations – Rewrite

The current Licensing and Arbitration Regulations were established in 1984 and were updated in 1989 pursuant to the Canada Agricultural Products Act of 1988. These Regulations are undergoing a government/industry review respecting the terms and conditions under which licenses may be issued and the operations of the Board of Arbitration. This regulatory initiative is intended to revise the Regulations with respect to changes needed, as may be identified by the regulatory review.

As a result of these amendments, the Licensing and Arbitration Regulations will be more effective for regulating the produce industry and for the operation of the Board of Arbitration in dispute settlement. Costs are expected to be limited to the regulatory amendment process. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to all interested parties.

This initiative appeared in the 1991 Regulatory Plan as 34-AGR.

Expected Date of Publication: First Quarter, 1993, *Canada Gazette*, Part I; Second Quarter 1993, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-25

Livestock Carcass Grading Regulations – Consolidation

Currently there are four separate red-meat carcass grading Regulations – beef, lamb, veal and hog. To promote uniformity as much as possible and to facilitate client use, Agriculture Canada has prepared a draft Regulation which amalgamates the four separate sets into one set. The Canadian Cattlemen's Association and the Canadian Meat Council support this initiative.

This initiative appeared in the 1991 Regulatory Plan as 35-AGR.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Richard Robinson, Chief, Livestock Identification and Legislation, Meat and Poultry Products Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-26

Maple Products Regulations – Exemptions

In the marketing of agricultural products for which standards have been established in the Regulations, it is often necessary to move products which do not meet some requirement of the Regulations across provincial or national boundaries. The Regulations will be amended to introduce specific exemption provisions permitted under the Act.

The intent of this regulatory initiative is to remove regulatory barriers to the trade and marketing of agricultural products in cases where there is a reasonable need to do so by way of exemptions to various grading, inspection, packaging and labelling requirements. Such cases may include a need to alleviate shortages due to natural disasters or the loss of production or processing facilities, the movement of ungraded or unlabelled products in bulk to reduce costs and to facilitate the test marketing of new products or technologies. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to interested parties.

This initiative appeared in the 1991 Regulatory Plan as 36-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-27

Meat Inspection Regulations, 1990 – Harmonization of Meat Products Compositional Standards

The Food and Drug Regulations are being amended to allow for the use of phosphate salts in all prepared meat products for which a minimum meat protein content standard applies. The Food and Drug Regulations are also being amended to establish fat content standards for all ground meats. Labelling requirements will be developed for these products. The Meat Inspection Regulations, 1990 will be amended to reflect the changes made to the Food and Drug Regulations.

No substantial impact is anticipated since the requirements will already be in effect under the Food and Drug Regulations.

This is a new initiative.

Expected Date of Publication: Fourth Quarter 1992, Part II *Canada Gazette*

Contact: A. Anzengruber, Associate Director, Audit, Regulations and Procedures, Meat and Poultry Products Division, Food Production and Inspection Branch, 2255 Carling Avenue, 4th Floor, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-28

Meat Inspection Regulations, 1990 – Corrections/Additions

Amendments to the Regulations are needed to rectify translation errors and other minor errors resulting from the rewrite of the Regulations in 1990, to add one standard to the present list and to provide for the transportation of imported meat products from one province to another for inspection purposes.

The changes are of a housekeeping nature and the impact will be negligible.

This initiative appeared in the 1991 Regulatory Plan as 39-AGR.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Anzengruber, Associate Director, Audit, Regulations and Procedures, Meat and Poultry Products Division, Food Production and Inspection Branch, 2255 Carling Avenue, 4th Floor, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-29

Meat Inspection Regulations, 1990 – Overtime Fees

This amendment modifies the fees charged to operators of registered establishments for hours of overtime inspection. The impact will be on the industry directly and will be limited to reflect increases in pay granted under collective agreements reached with veterinarians and primary products inspectors.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 40-AGR.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Anzengruber, Associate Director, Audit, Regulations and Procedures, Meat and Poultry Products Division, Food Production and Inspection Branch, 2255 Carling Avenue, 4th Floor, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-30

Meat Inspection Regulations, 1990 – Slaughter of Game Animals

Amendments to the Regulations are needed to update our requirements concerning the slaughter of game animals. The transportation of game animals to abattoirs may cause unnecessary suffering to the animals. It has been demonstrated in other countries that the slaughter of game animals in mobile abattoirs that can be brought to the animals constitutes a desirable alternative to the transportation of the animals. Requirements for mobile abattoirs will be added to the Regulations, as will a definition of game animal. The modifications will allow the industry to compete in the game-meat market both in Canada and in foreign countries. It will place the game-meat industry on a level with foreign competitors. The consumers should benefit from a more competitive market place for game meat.

This initiative appeared in the 1991 Regulatory Plan as 41-AGR.

Expected Date of Publication: Fourth Quarter 1991, *Canada Gazette*, Part I; First Quarter 1992, *Canada Gazette*, Part II

Contact: A. Anzengruber, Associate Director, Audit, Regulations and Procedures, Meat and Poultry Products Division, Food Production and Inspection Branch, 2255 Carling Avenue, 4th Floor, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-31

Organic Food Production Regulations

This regulatory initiative is intended to provide criteria for the production, processing, distribution, labelling and marketing of organically grown agri-food commodities.

This regulatory initiative will come under the Canada Agriculture Products Act (CAP Act).

Implementation of these Regulations will facilitate national and international trade of organic products; strengthen the credibility of a small but growing niche market for organic food; and provide consumer assurance that a product labelled as organic has met established criteria.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: I.R. Sutherland, Director, Agri-Food Safety and Strategies Division, Food Inspection Directorate, Food Production and Inspection Branch, Agriculture Canada, Ottawa, Ontario, K1A 0C5. Tel. (613) 992-2114

AGR-32

Pari-mutuel Betting Supervision Regulations – Change to Special Operating Agency

The Race Track Division will become a Special Operating Agency by the end of 1991. The creation of this agency will necessitate a change in some terminology in the Regulations to conform with the terms used in regular business practice. An example of this will be a change in the term Director to Chief Operating Officer. The Race Track Division will also be renamed. This will not be a substantive change to the Regulations.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Elizabeth Cleghorn, Acting Director, Race Track Division, Food Production and Inspection Branch, Agriculture Canada, P.O. Box 5904, Station F, Ottawa, Ontario, K2C 3X7. Tel. (613) 998-4922

AGR-33

Pari-mutuel Betting Supervision Regulations – Drug Control

The new Pari-mutuel Betting Supervision Regulations were promulgated on 19 June 1991 and superseded the old Race Track Supervision Regulations. The department, in fulfilling its mandate to regulate all matters related to pari-mutuel betting, maintains a schedule of prohibited substances, traces of which must not be detected in a post-race urine or blood sample obtained from a horse. Many substances have actions on a horse's system which could significantly alter the animal's natural performance and thereby unfairly affect the outcome of a race.

Amendment of the drug schedule is a standing proposal in the Regulatory Plan because, in any given year, as research progresses, it may be appropriate to revise the regulation of these drugs. This is done by adding or deleting such substances to/from the schedule permanently or by specifying a quantitative limit for a substance already in the schedule.

Under the Pari-Mutuel Betting Supervision Regulations, all new drugs are automatically banned temporarily. This preliminary period gives the Federal Drug Advisory Committee the opportunity to examine the substance and its possible effect on the outcome of a race if used in a race horse. It also provides an opportunity for the laboratories and the Race Track Division's research facility to acquire the knowledge necessary to control the substance in a reasonable manner.

The maintenance of an up-to-date schedule ensures that the interests of the betting public continue to be protected. There is no additional cost to the racing industry or to government since the number of samples analysed remains the same.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 42-AGR.

Expected Date of Publication: As required

Contact: Elizabeth Cleghorn, Acting Director, Race Track Division, Food Production and Inspection Branch, Agriculture Canada, P.O. Box 5904, Station F, Ottawa, Ontario, K2C 3X7. Tel. (613) 998-4922

AGR-34

Pari-mutuel Betting Supervision Regulations – Foreign Race Limit

The Pari-mutuel Betting Supervision Regulations, promulgated 19 June 1991, contain a provision restricting race tracks to a maximum of 40 foreign races each, for those tracks wanting to operate foreign race separate pool betting.

"Foreign race separate pool betting" is separate pool betting in Canada on a foreign race. Foreign races are brought into the country by way of satellite or microwave and viewed at the race track on television monitors. The betting on the race goes into pools at the Canadian race track, not into the pools at the originating track (usually American), hence the term "separate pool."

This amendment will allow tracks to import more than the limit of 40 foreign races, if the horsemen under contract to provide the live racing support the move, and if there are no objections from other race tracks in the same circuit, i.e., in close proximity and sharing the same market base.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Elizabeth Cleghorn, Acting Director, Race Track Division, Food Production and Inspection Branch, Agriculture Canada, P.O. Box 5904, Station F, Ottawa, Ontario, K2C 3X7. Tel. (613) 998-4922

AGR-35

Pari-mutuel Betting Supervision Regulations – Standing Joint Committee

The new Pari-mutuel Betting Supervision Regulations were promulgated on 19 June 1991 and superseded the old Race Track Supervision Regulations. The new document covers all aspects of the pari-mutuel betting industry in Canada, which is regulated by the Minister of Agriculture under the Criminal Code.

It is conceivable that the Standing Joint Committee for the Scrutiny of Regulations and Statutory Instruments might have suggestions for changes in the new Regulations. In this event, an amendment will be prepared to conform with the Committee's requirements.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 43-AGR.

Expected Date of Publication: As required

Contact: Elizabeth Cleghorn, Acting Director, Race Track Division, Food Production and Inspection Branch, Agriculture Canada, P.O. Box 5904, Station F, Ottawa, Ontario, K2C 3X7. Tel. (613) 998-4922

AGR-36

Pest Control Products Regulations – Registration of Accepted Active Ingredients

Pesticides registration has been extended to include not only products, but the technical active ingredient on which the products are based. Current Regulations state that active ingredients accepted for use in a control product registered before 1 January 1984, are exempt from being registered themselves.

The proposed amendment will remove this exemption and require that all active ingredients used in control products be registered. This will make it possible to recognize unregistered (unacceptable) active ingredients and to prevent their importation into Canada. It will also allow Canada to implement the Codes of Conduct of both the United Nations Environmental Program and the Food and Agriculture Organization governing export of severely restricted (banned) pesticides moving in international trade.

This amendment will require registration and pre-sale assessment of risk and safety for sources of pesticides used in Canada, and hence, provide greater assurance of human health and environmental safety. Internationally, Canada will be seen as living up to its agreements, especially with regard to pesticides export to other countries. There will be a slight increase in the administration workload for manufacturers as they will be required to submit an application for registration indicating a registration number. Registered products will be clearly identifiable to customs officials, ending the current confusion as to what is registered and what is not.

This initiative appeared in the 1991 Regulatory Plan as 49-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.E. Hollebone, Director, Issues, Planning and Priorities Division, Pesticides Directorate, Food Production and Inspection Branch, Agriculture Canada, 2323 Riverside Drive, Ottawa, Ontario, K1A 0C6. Tel. (613) 993-4544

AGR-37

Plant Breeders' Rights Regulations – Amendment

An amendment to Schedule I of the Plant Breeders' Rights Regulations will specify additional species eligible for granting of rights.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: W.T. Bradnock, Director, Plant Products Division, Animal and Plant Health Directorate, Food Production and Inspection Branch, Agriculture Canada, K.W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-38

Plant Protection Regulations

These Regulations will complement the Plant Protection Act which replaced the Plant Quarantine Act. They will serve to prevent the introduction into and the spreading from or within Canada of injurious plant pests. The Regulations will stipulate all conditions, prohibitions and restrictions governing the importation, exportation and the domestic movement of plants or other things capable of conveying a plant pest. There will be provisions to enable the Plant Protection Division to deal with plant pest infestations within Canada in a quick and efficient manner. The Regulations will stipulate the fees to be charged by Agriculture Canada for services rendered.

These proposed Regulations will protect the environment by preventing the introduction or the spreading within Canada of injurious plant pests. They will indicate to foreign countries Canada's continued desire to control or eradicate plant pest infestations within Canada and thereby prevent the transmission of any plant pest of economic importance to Canada's trading partners. Regulations pertaining to the fees charged will have a definite impact on the department's clientele, since in some cases, 100 per cent of its operating costs will be recovered. The fees will vary depending on the outcome of negotiations with the private sector. Provisions enabling the Plant Protection Division to deal with plant pest infestations will have some financial implications for the owner or occupier of the infested property or premises. These provisions will directly or indirectly restrict or prohibit the sale or the disposition of any plant or other thing within an area declared to be infested with a plant pest. The benefits of these Regulations are expected to exceed administrative costs. For example, the introduction into Canada of an exotic plant pest can, in the long run, cost thousands of dollars to control or eradicate. Other benefits, largely in terms of jobs for Canadians, will be derived from the protection of Canadian agricultural and forestry resources and the securing of export markets.

This initiative appeared in the 1991 Regulatory Plan as 52-AGR.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Ray Blewett, Director, Plant Protection Division, Food Production and Inspection Branch, Agriculture Canada, K.W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-39

Processed Egg Regulations – Labels

The submission of labels to Agriculture Canada, for review and approval, for processed egg products is presently voluntary, whereas for other processed food products such as meat it is mandatory. In order to handle all processed food products in a uniform fashion and to verify the safety of the processing methods used, the Food Inspection Directorate will be requiring that processed egg labels be submitted for approval. This initiative is not expected to impact negatively on labels already adopted by the processed egg industry because of the informal voluntary approval process that has existed in the past.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Richard Robinson, Chief, Livestock Identification and Legislation, Meat and Poultry Products Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-40

Processed Products Regulations – Containers and Labelling

Under the Processed Products Regulations, requirements are set out respecting the packaging and labelling of processed food products. These Regulations will be amended for the purpose of updating the packaging and labelling requirements to meet current needs and trends in the processed food industry.

This initiative will also harmonize some provisions with similar United States standards. It is expected that the changes involved will facilitate trade and improve the competitiveness of the Canadian processed foods sector. Information about the proposed changes will be published in an Agri-Food Information Letter distributed by the department to interested parties.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-41

Processed Products Regulations – Exemptions

In the marketing of agricultural products for which standards have been established in the Regulations, it is often necessary to move products which do not meet some requirement of the Regulations across provincial or national boundaries. The Regulations will be amended to introduce specific exemption provisions permitted under the Act.

The intent of this regulatory initiative is to remove regulatory barriers to the trade and marketing of agricultural products in cases where there is a reasonable need to do so by way of exemptions to various grading, inspection, packaging and labelling requirements. Such cases may include a need to alleviate shortages due to natural disasters or the loss of production or processing facilities, the movement of ungraded or unlabelled products in bulk to reduce costs and to facilitate the test marketing of new products or technologies. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to interested parties.

This initiative appeared in the 1991 Regulatory Plan as 55-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-42

Processed Products Regulations – Grades and Standards Revision

Grades and standards are established under these Regulations for canned tomatoes and other tomato products, for frozen whole strawberries and for jams, jellies, marmalades and similar products. These grades and standards will be reviewed to determine their relevancy with respect to current processing technology, market requirements and consumer preferences.

Following the review these grades and standards will be amended where appropriate to facilitate the marketing of these food products. Obsolete provisions will be deleted. Information about the proposed changes will be published in an Agri-Food Information Letter which will be sent to all interested parties.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-43

Processed Products Regulations – Honey and Maple Products

Currently processed fruits and vegetables, honey and maple products are covered by three separate sets of Regulations. This initiative is intended to combine these three Regulations into one Regulation, the Processed Products Regulations.

Consolidating these three Regulations will achieve greater uniformity in the format and wording of common areas of the Regulations. This will facilitate their uniform application by inspection agencies and simplify compliance by companies operating under more than one of these Regulations. Other than the amalgamation of common areas of the Regulations there will be no change to their content. In addition, costs associated with amending the Regulations will be reduced. There will be no costs to the industry or public associated with these amendments.

This initiative appeared in the 1991 Regulatory Plan as 58-AGR.

Expected Date of Publication: Second Quarter, 1993, Canada Gazette, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-44

Processed Products Regulations – Raspberries and Strawberries

The Canada Agricultural Products Act provides for the establishment of grades and standards for agricultural products under the Processed Products Regulations. Currently there are no grades for frozen raspberries. Grades and standards will be proposed under these Regulations for frozen raspberries for the retail trade, and special processing grades will be proposed for frozen raspberries and frozen strawberies for use in further manufacturing. These grades have been requested by Canadian processors of these products.

The intent of this initiative is to establish grades and standards for frozen raspberries and for special processing grades for frozen raspberries and frozen strawberries. Information about the proposed grades and standards will be published in an Agri-Food Information Letter which will be sent to all interested parties.

This is a new initiative.

Expected Date of Publication: First Quarter, 1993, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Don Crosby, Chief of Legislation, Dairy, Fruit and Vegetable Division, Food Production and Inspection Branch, Agriculture Canada, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel. (613) 995-5433

AGR-45

Quarantine and Inspection Service Fees Order – Update

The present Order under the Financial Administration Act allows the collection of fees for quarantine of animals imported into Canada and for inspection performed outside of normal working hours. The amendment will reflect increased costs since the current fees were put in place. Cost recovery will be introduced for animals quarantined at St. Pierre-Miquelon and for charges to Agriculture Canada by outside agencies which are associated with importations of animals and things.

The amendments will increase the cost of overtime inspection and quarantine of animals that must be paid by those requesting the services. Increases will reflect the rate of inflation and increase in costs of the services to the government.

This initiative appeared in the 1991 Regulatory Plan as 59-AGR.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Lavigne, Associate Director, Import and Export Section, Animal Health Division, Halldon House, 2255 Carling Avenue, Ottawa, Ontario, K1A 0Y9. Tel (613) 995-5433

AGR-46

Registered Seed Establishment Regulations

Currently under the Seeds Regulations, establishments are authorized to grade pedigreed seed and to sell that seed in bulk. New Regulations, written pursuant to the Canada Agricultural Products Act, will better define the roles and responsibilities of both government and industry with respect to those two activities.

This initiative appeared in the 1991 Regulatory Plan as 60-AGR.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: W.T. Bradnock, Director, Plant Products Division, Animal and Plant Health Directorate, Food Production and Inspection Branch, Agriculture Canada, K.W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-47

Seeds Regulations – General Revision

A general revision of the current Regulations is necessary to update certain areas, re-number sections, clarify intent, modify requirements, etc. The changes will simplify the Regulations making them easier to use and interpret.

This initiative combines several, separate initiatives identified in the 1991 Regulatory Plan as 61-AGR, 62-AGR and 63-AGR.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: W.T. Bradnock, Director, Plant Products Division, Animal and Plant Health Directorate, Food Production and Inspection Branch, Agriculture Canada, K.W. Neatby Building, 960 Carling Avenue, Ottawa, Ontario, K1A 0C6. Tel. (613) 995-7900

AGR-48

Canadian Wheat Board Regulations – Initial Payments

This regulatory initiative establishes initial payments for the four base grades of grain under the jurisdiction of the Canadian Wheat Board (CWB). These initial payments are fixed annually by Regulation. Initial payments received by grain producers on delivery of CWB grains are guaranteed by the government.

Initial payments determine the level of payment received by producers on delivery into the elevator system. This will have an influence on the income of Western grain producers. These initial payments are fixed in relation to anticipated market returns. They represent guaranteed floor prices for deliveries during the crop year. Any surpluses on CWB pooling operations are subsequently distributed to producers as final payments.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 67-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: C.T. Craddock, Director, Market and Policy Analysis Division, Grain Marketing Bureau, Grains and Oilseeds Branch, Agriculture Canada, Ottawa, Ontario, K1A 0C5. Tel. (613) 996-8324

AGR-49

Beef and Veal Import Restriction Order

The Meat Import Act provides authority to regulate the importation into Canada of fresh, chilled, and frozen beef and veal, and amends the Export and Import Permits Act. The Minister of Agriculture, with the concurrence of the Secretary of State for External Affairs, may establish restrictions on the quantity of beef and veal that may be imported into Canada, taking into account the formula and criteria set out in the schedule of the Act. The level of restriction on imported beef and veal must be consistent with Canada's international obligations agreed to under the General Agreement on Tariffs and Trade; that is, restrictions cannot be less than the global minimum access commitment which is adjusted annually for population growth. Restrictions can be suspended before or during 1993.

Article 704 of the Canada/U.S. Free Trade Agreement prohibits Canada or the U.S. from imposing quantitative restrictions on each other's meat goods. However, if either Canada or the U.S. imposes restrictions against third countries, and the other does not, restrictions may be imposed on the other party only to the extent and for such time as is sufficient to prevent frustration of the action against third-country imports. Implementing Orders provide the federal government with stand-by authority to control, if necessary, the amount of fresh, chilled, and frozen beef and veal entering Canada from countries other than the U.S. As a result of the Order, interests of the Canadian beef and cattle producing industry are safeguarded, particularly in the event of a serious threat to the Canadian marketplace brought about by imports. It is necessary to set, by Order, an import restriction by December, 1992, if the government wishes to use it in 1993.

This recurring initiative appeared in the 1991 Regulatory Plan as 69-AGR.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Thomson, International Trade Policy Directorate, Agriculture Canada, Room 773A, Sir John Carling Building, 930 Carling Avenue, Ottawa, Ontario, K1A 0C5. Tel. (613) 995-7586

AGR-50

Farm Income Protection Act – Prescribed Prices

Under the newly passed Farm Income Protection Act (FIPA), Section 24(1), the successor to the Agricultural Stabilization Act and the Crop Insurance Act, provision was made for the continuation of prescribing prices for wool marketed in the 1990 calendar year and for industrial milk and cream marketed until 31 March 1992.

Regulations, in the form of Orders-in-Council, previously established under the Agricultural Stabilization Act are required to effect the required support for the above commodities, as well as, for any other action that may be taken for price support pursuant to Section 18(1) of FIPA.

Payments to producers that result from the prescribing of support prices authorized by such Orders-in-Council are funded from annual appropriations for this purpose.

During the 1992 calendar year, at least three such Regulations are expected for the above.

The equivalent Regulations appeared in the 1991 Regulatory Plan as 70-AGR.

Expected Date of Publication: As required

Contact: Gilles Lavoie, Director General, Farm Financial Programs Directorate, 930 Carling Avenue, Ottawa, Ontario, K1A 0C5. Tel. (613) 995-5880

AGR-51

Farm Improvement and Marketing Co-operatives Loans Regulations – Clarification

The Farm Improvement and Marketing Co-operatives Loans Act (FIMCLA) was enacted in June 1987 and replaced the Farm Improvement Loans Act on 1 February 1988. The FIMCLA is designed to increase the availability of loans for the improvement and development of farms and for the processing distribution or marketing of farm products by co-operative associations. After three years of operation, it has become apparent that certain sections of the Regulations will have to be deleted or amended to clarify the Act and Regulations, and to facilitate implementation.

Many lenders have expressed concern over the ambiguity of certain sections of the legislation and the related Regulations. As a result, some lenders are not issuing as many loans as would ordinarily be the case. It is anticipated that these amendments will clarify the intent of certain sections of the Act and Regulations; provide clearer guidelines to be followed by lenders; and increase farmer use of the FIMCLA.

This initiative appeared in the 1991 Regulatory Plan as 72-AGR.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I, First Quarter, 1992, *Canada Gazette*, Part II

Contact: Ken Trudel, Director, Legislated Marketing Programs Division, Farm Financial Programs Directorate, Agriculture Canada, 2323 Riverside Dr., SBI Building, Room 1101, Ottawa, Ontario, K1A 0C5. Tel. (613) 957-7078

AGR-52

Canada Grain Regulations – Abbreviations of Official Grade Names

Schedule XIV of the Canada Grain Regulations prescribes abbreviations for terms used by the Canadian Grain Commission and the grain industry.

The schedule will be amended to include abbreviations for the official grade names sanctioned elsewhere in the Act and Regulations. These abbreviations are used in various documents relating to grain trade transactions, but presently have no official legal status. This situation could lead to problems. For example, in the event of default by a licensee, creditors are paid according to grades, but if the abbreviations used are not legally sanctioned, this might cause difficulties in settlements.

This initiative appeared in the 1991 Regulatory Plan as 73-AGR.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Linda Tesser, Corporate Secretary, Canadian Grain Commission, 600-303 Main Street, Winnipeg, Manitoba, R3C 3G8. Tel. (204) 983-3081

AGR-53

Canada Grain Regulations – Changes to Licensing and Security Provisions

The Canadian Grain Commission has begun a major review of the licensing and security provisions of the Canada Grain Act and Regulations. The changes will reflect extensive consultation with the grain industry as well as the ultimate outcome of legal cases involving the security requirements of the Canada Grain Act.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I, Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Linda Tesser, Corporate Secretary, Canadian Grain Commission, 600-303 Main Street, Winnipeg, Manitoba, R3C 3G8. Tel. (204) 983-3081

AGR-54

Canada Grain Regulations – Fees of the Commission

It is proposed to adjust the fees of the Canadian Grain Commission prescribed in Schedule I of the Regulations in order to realize cost-recovery goals on a five-year average. The specific changes will depend on financial results achieved in the 1991-92 fiscal year, forecasts for 1991-92 and volumes of grain handled.

There may be increased or decreased costs to grain producers for handling grain. However, changes will respect the Cabinet directive regarding cost recovery by the commission.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 74-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Linda Tesser, Corporate Secretary, Canadian Grain Commission, 600-303 Main Street, Winnipeg, Manitoba, R3C 3G8. Tel. (204) 983-3081

AGR-55

Canada Grain Regulations – Grain Forms

Amendments to the forms in Schedule V and Schedule VI and the addition of some new forms are proposed.

With the increased use of computers, amendments to the forms should improve efficiency. The new grain dealer form should assist the Canada Grain Commission in monitoring grain dealer activities.

This initiative appeared in the 1991 Regulatory Plan as 75-AGR.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Linda Tesser, Corporate Secretary, Canadian Grain Commission, 600-303 Main Street, Winnipeg, Manitoba, R3C 3G8. Tel. (204) 983-3081

AGR-56

Canada Grain Regulations – Maximum Elevator Tariffs

The Canadian Grain Commission will be reviewing elevator operators' annual statements and discussing results with interested parties. The commission will consider how the maximum tariffs in schedules VII, VIII and IX should be adjusted for the 1992-93 crop year.

A study of terminal elevator tariffs to be completed in 1991 could result in changes to maximum terminal elevator tariffs.

Since some of the elevator charges are less than the maximum tariffs, it will depend on the elevator companies whether or not there will be increased costs in the handling of grain.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 76-AGR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Linda Tesser, Corporate Secretary, Canadian Grain Commission, 600-303 Main Street, Winnipeg, Manitoba, R3C 3G8. Tel. (204) 983-3081

AGR-57

Canada Grain Regulations – Miscellaneous Amendments

The Canadian Grain Commission is reviewing the Regulations in order to bring them in line with current procedures and to make the commission's requirements clearer to licensees and others involved in the grain industry.

These housekeeping changes can be divided into two groups: changes made as a result of the automation of some functions and changes designed to clarify requirements of the commission by substituting new wording or reorganizing sections in a more logical manner.

This initiative appeared in the 1991 Regulatory Plan as 78-AGR.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Linda Tesser, Corporate Secretary, Canadian Grain Commission, 600-303 Main Street, Winnipeg, Manitoba, R3C 3G8. Tel. (204) 983-3081

Communications Canada

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General Information

Roles and Responsibilities

The mission of the Department of Communications is nation building, helping Canadians share their ideas, information and dreams. All activities undertaken by the Department of Communications flow from this mission and relate to the following main objectives:

- the development of policies, programs and co-operative arrangements that achieve Canada's social and economic objectives for communications and culture, and
- fostering the orderly development and operation of communications and culture for Canada, in both the domestic and international spheres.

Five sectors within the department are charged with carrying out these objectives by way of policy development, regulation, in-house research, and the provision of financial and technical support for enterprises and organizations working in the areas of communications and culture.

Research and Spectrum is responsible for improving and extending communications services available to Canadians. This is achieved by increasing the scientific and technical expertise of government, industry and the scientific community in the fields of telecommunications and informatics; and promoting the development and exploitation of advanced technologies in the fields of telecommunications and informatics by Canadian industry for both domestic and world markets. The sector is also responsible for ensuring the accommodation of as many users of the radio frequency spectrum as possible with a minimum of interference. It also promotes the development and growth of radio and controlling spectrum use by Canadian broadcasters, operators and radio licence holders, and protects Canada's rights and interests regarding spectrum use through international agreements and Regulations.

Arts and Heritage is charged with enhancing artistic development in Canada, increasing public access to the national heritage and assisting in the preservation of this heritage. The sector strives to increase the availability of and access to Canadian arts and heritage products and services, as well as public participation in related cultural activities. It formulates policies and designs programs in arts and heritage; advises the Minister on policies and programs; administers related arts and heritage programs and Regulations assigned to the department; and provides support to arts and heritage organizations. This sector collaborates closely with federal arts and heritage agencies, including the Canada Council, the National Arts Centre and the national museums in the fulfillment of its mandate.

Communications Policy is responsible for developing many of the key policy initiatives which support the telecommunications, broadcasting and cultural industries. The focus of the sector is on providing the Canadian broadcasting, telecommunications and cultural industries with the legislative and regulatory infrastructure they need to compete in the global marketplace.

Effectiveness of departmental programs and activities is ensured through its Corporate Policy, Corporate Management and Assistant Deputy Minister, Quebec sectors. In addition to providing an appropriate management regime and a range of centralized services to the department, these sectors are responsible for strategic planning, co-ordinating all departmental policy endeavours and managing the departmental relationship with other governments, in Canada and abroad. They are also responsible for ensuring public awareness, understanding and support for Communications Canada policies and programs. Four regional executive directors (one each in the Pacific, Central, Ontario and Atlantic regions) represent the department and direct its activities in their regions and ensure access to the department as a whole through their offices.

Legislative Mandate

The major statutes under the jurisdiction of the Minister of Communications are as follows:

- National Archives of Canada Act
- National Library Act
- National Arts Centre Act
- Railway Act
- Canada Council Act
- Cultural Property Export and Import Act
- National Film Act
- Department of Communications Act
- Museums Act
- Radiocommunication Act
- Broadcasting Act
- Canadian Radio-television and Telecommunications Commission Act
- Canadian Film Development Corporation Act
- Telegraphs Act
- Telesat Canada Act
- National Telecommunications Powers and Procedures Act

Initiatives

COM-1

Certification of Radio Operators

In 1982, a task force was established by Communications Canada and Transport Canada to review the roles and duties of radio operators and to determine the classes of certificates required to carry out the duties of an operator at particular radio stations. The recommendations were published in November 1982 and comments were solicited from the public. This proposal, encompassing the conclusions reached, outlines the changes required to introduce new classes of radio operator certificates, delete certain existing classes and revise the statements of duties and qualifications.

Professional radio operators and the public will have a wider variety of certificates to choose from, each being more appropriate to the particular needs, and current and future use of the radio services involved. Safety services, in particular, will benefit from the introduction of operator certification requirements that are more rigorous and appropriate to the needs of the maritime and aeronautical mobile services.

This initiative appeared in the 1991 Regulatory Plan as 105-COM.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part II

Contact: Manager, National and International Regulations, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8.
Tel. (613) 990-4754

COM-2

Restructuring of the Amateur Radio Service

In November 1985, the department released a discussion paper for public comment on the possible restructuring of the amateur radio service in Canada. It proposed a substantive restructuring of the amateur service, which would result in amendments to the General Radio Regulations. Some of the features of these proposed amendments include a modernization of the amateur radio operator certificate structure; refinements to the amateur examination process leading to the attainment of operating certificates; and overall improvements to the service to accommodate the current radio amateur operating environment. With the benefit of the public comments received in response to the above-mentioned discussion paper, it is anticipated that reactions to the proposed restructuring of the amateur service will generally be positive.

This initiative appeared in the 1991 Regulatory Plan as 106-COM.

Expected Date of Publication: Third Quarter, 1991, *Canada Gazette*, Part I; Fourth Quarter, 1991, *Canada Gazette*, Part II

Contact: D. Breau, A/Manager, Operational Policies, Procedures and Programs, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4736

COM-3

Broadcast and Radio Technical Data Services Fees Order

The department currently charges a fee for the provision of technical information about broadcasting undertakings. This proposal would broaden the number of services to include fees for radio services. In addition, existing fees would be adjusted to reflect the cost of providing the service to the public. Fees for the new services need to be added to reflect the recent availability of such information for public purchase.

This initiative appeared in the 1991 Regulatory Plan as 107-COM.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact (Broadcasting): J.-M. Paquet, Manager, Broadcast Informatics, Broadcasting Regulation Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4951

Contact (Radio): D. Benoit, Director, Automated Applications, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8.
Tel. (613) 998-3549

COM-4

Video Recording Devices Regulations

Radio apparatus to record television broadcasting for the purpose of home entertainment are currently excluded from any Regulations pertaining to radio apparatus capable of receiving television broadcasting. This proposed amendment would remove this exclusion and introduce technical requirements to minimize radio interference. As a consequence, manufacturers and distributors of video recording devices will have to ensure that their equipment complies with the pertinent Regulations for devices capable of receiving television broadcasting described in Part VIII of the General Radio Regulations, Part II.

This initiative appeared in the 1991 Regulatory Plan as 109-COM.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Fernand Bouchard, A/Head, Cable TV Standards and Practices Section, Broadcasting Regulation Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 998-1691

COM-5

Revisions to Broadcast Station Identification Regulations

Under existing Regulations, broadcasting stations are required to transmit their call sign, channel designation and location on an hourly basis. This has led to some difficulties since some types of programming, notably live broadcasts of performances, cannot be interrupted. In this regard, the international radio Regulations are more flexible than the existing Canadian Regulation. The method of identification for rebroadcast stations also needs to be reconsidered. Changes are therefore proposed to align the Canadian Regulation with the international radio Regulations and to ensure that stations are still properly identified.

This initiative appeared in the 1991 Regulatory Plan as 110-COM.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: W.E. Wright, Head, Broadcast Engineering Standards and Procedures, Broadcasting Regulation Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4949

COM-6

Interference Causing Equipment (ICE) Regulations

Technical requirements for equipment such as digital apparatus and automobile ignition systems which are capable of causing interference to radiocommunications are currently prescribed in the radio Regulations. To keep pace with the continued evolution of technology, these technical requirements need to be amended on a regular basis. The Interference Causing Equipment Regulations (ICE) will bring radio interference regulation into a framework consistent with the simplified regulatory structure provided by the Radiocommunication Act. The ICE Regulations will thus replace the current Radio Interference Regulations (RIR) making reference to a list of technical standards established by the Minister. Some administrative changes will also be provided for in these Regulations. As a result, these Regulations will allow the Minister to more effectively react to the demands of rapidly changing technology. As the standards to be prepared in concert with this regulatory measure will be a replication of the technical requirements specified in existing Regulations, no significant impact is expected to result from the proposed action.

This initiative has been identified as one of the first steps involved in the reform of the radio Regulations.

This initiative appeared in the 1991 Regulatory Plan as 111-COM.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Roberts, Director, EMC Analysis and Consultation, Engineering Programs Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4716

COM-7

Radio Apparatus (RA) Regulations

Changes in technology have led to the development and introduction of many new forms of radio apparatus which are basic to the emergence of new radiocommunication services. Therefore, to keep pace with this new technology, the department proposes to bring the Regulations into a framework consistent with the simplified regulatory structure provided by the Radiocommunication Act. The RA Regulations will thus replace certain parts of the General Radio Regulations (GRR) and make reference to a list of technical standards established by the Minister. Some administrative changes will also be provided for in these Regulations. As a result, the Minister will be able to react more effectively to the demands of rapidly changing technology. As most of the technical requirements to be implemented under this regulatory initiative are already in effect, this should not have any significant impact on the users of the spectrum. This initiative has been identified as one of the first steps involved in the reform of the radio Regulations.

This initiative appeared in the 1991 Regulatory Plan as 112-COM.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: V. Rawat, Director, Spectrum Engineering, Engineering Programs Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4687

COM-8

Minister of Communications Authority to Prescribe Fees Order

The Minister's authority to set the level of fees is provided for in the Minister of Communications Authority to Prescribe Fees Order. An initiative is currently under way to clarify this Order as it relates to the fees associated with the labelling of telecommunications apparatus that have been certified by the department. The clarification will not have any impact on the current practices followed by the department in the administration of the Terminal Attachment Program or on the level fees for this program.

This initiative appeared in the 1991 Regulatory Plan as 113-COM.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: F.G. Diamente, Director, Long Range Planning and Interconnect, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4712

COM-9

Point-to-Multipoint Licensing

Changes in technology have resulted in many new applications of radio, such as wireless alarm systems, utility meter readers, process controllers and local area networks. Under current Regulations, each station requires a licence for which a fee is levied. Since these devices are low-powered and spectrum-efficient, the department is planning to amend the Regulations, depending on the output power levels involved, to license the stations as part of a system thus limiting the number of licences to be issued. Since the department would no longer be required to issue a licence for each station in the system, the administrative burden will be significantly reduced for both the department and the licensee.

This initiative appeared in the 1991 Regulatory Plan as 114-COM.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter 1993, *Canada Gazette*, Part II

Contact: D. Breau, A/Manager, Operational Policies, Procedures and Programs, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4736

COM-10

Exemption for Receive-only Earth Stations

In accordance with the Radiocommunication Act, all radio apparatus must be operated under a radio licence unless it is exempted from that requirement. The amendment to the General Radio Regulations, Part II will significantly extend existing exemptions from licensing to receive-only earth stations receiving broadcasting signals from foreign satellites by entities not redistributing the signals; by broadcast undertakings as authorized by the CRTC or; those receiving business data signals from Canadian satellites. The proposed amendment would remove the requirement for licensing for these receive-only earth stations. This deregulation initiative will result in a reduction of the administrative burden for the users of receive-only earth stations and the government.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: M.G. Fyfe, Manager, Satellite Network Policy Development, Department of Communications, Ottawa, Ontario, K1A 0C8. Tel. (613) 998-4491

COM-11

Telecommunication Apparatus Assessment and Testing Fees

The fees charged for the technical assessment, testing and certification of radio and terminal equipment are periodically reviewed and revised to ensure that departmental costs are recovered. This proposal will adjust the level of fees to reflect current costs of providing these services.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: N.L. McGrath, Certification and Engineering Bureau (DEB), Department of Communications, 1241 Clyde Avenue, Ottawa, Ontario, K2C 1Y3. Tel. (613) 998-5968

COM-12

Reform of the Radio Regulations

This initiative will provide a major review of all Regulations made under the old Radio Act, in the light of the powers found in the Radiocommunication Act. The object is to replace the four existing sets of Regulations with one set of comprehensive Regulations to simplify them and to make them easier to comprehend.

As a result of that review, the General Radio Regulations, Part I, the General Radio Regulations, Part II, the Radio Interference Regulations and the Radio Operators' Certificate Regulations will be consolidated into one new set which will be modern, simple and organized in a manner making them easier to modify.

The reduction in volume is expected to be significant, through the use of incorporation by reference of technical standards, and the revocation of unenforceable, redundant and outdated provisions. The new Regulations will also facilitate enforcement and the administration of justice.

This is a new initiative.

Expected Date of Publication: Dates staggered between Fourth Quarter, 1992 and First Quarter, 1994, *Canada Gazette*, Part I; Fourth Quarter, 1994, *Canada Gazette*, Part II

Contact: A. Briginshaw, Manager, Regulatory Reform, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8.
Tel. (613) 998-2927

COM-13

Definition of the Restricted Public Commercial Service

The current definition of the restricted public commercial service does not take into account communications between fixed stations within the service. When the restricted public commercial service was introduced several decades ago, the service subscribers only operated mobile stations. At that time, subscriber base stations were non-existent and communications between subscriber mobile stations were relayed through the service provider's base stations. Soon afterwards, in order to promote efficiency and facilitate two-way conversations, subscriber base stations were introduced to communicate with subscriber mobiles via the service provider's repeater stations. The service definition was not changed to reflect the addition of service subscriber base stations to the service. Now, as a result of public consultation, the department has confirmed that there is a need to allow fixed point-to-multipoint operations within this service. Therefore, the definition requires amending to provide for fixed operation.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: D. Breau, A/Manager, Operational Policies, Procedures and Programs, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4736

COM-14

Licensing of the Low-power Cordless Telephone Service

The Low-power Public Cordless Telephone Service will be introduced in Canada in 1992. A person will be able to carry a small cordless pocket telephone that will be capable of operation at home, at work and at well-identified public locations. The department plans to exempt, from licensing, the cordless telephone, the base station in the home and the wireless base station in the office. However, the public cordless telephone repeaters at well-identified locations will be licensed and appropriate licence fees will be charged. Consequently, amendments to the General Radio Regulations, Part I and Part II will be required to take into account the licensing of these public wireless telephone repeaters and the radio licence fees to be levied.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: D. Breau, A/Manager, Operational Policies, Procedures and Programs, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4736

COM-15

Reinstatement of Radio Licence

When a radio station licence fee has not been paid by 1 April of a new fiscal year, the radio station licence is considered to have been expired. In such cases where radio licences expire, the licensee is required to pay a reinstatement fee equivalent to the cost of issuing a new licence as of 1 April.

The department is currently reviewing its policy with regard to the reinstatement of radio station licences. Consequently, an amendment to the General Radio Regulations, Part I, may be required.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: D. Breau, A/Manager, Operational Policies, Procedures and Programs, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4736

COM-16

Low-power Cordless Telephone Service Exemption

The Low-power Public Cordless Telephone Service will be introduced in Canada in 1992. The users of this service will be able to carry a small cordless pocket telephone that will be capable of operation at home, at work and at well identified public locations.

In accordance with the Radiocommunication Act, all radio apparatus must be operated under a radio licence unless exempted from that requirement. To reduce the regulatory burden for users of this service, the department plans to exempt from licensing, the cordless pocket telephone, the base station in the home and the wireless base station in the office. The existing Regulations applicable to cordless telephones in the General Radio Regulations, Part I and Part II will thus be amended to extend the exemption from licensing to include the apparatus mentioned above which operates in the new frequency bands for this service.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: E. Cappello, Regulatory Policy and Planning Division, Radio Regulatory Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4754

COM-17

Canadian Cultural Property Export Control List

This regulatory initiative addresses the preservation in Canada of significant examples of our heritage in movable cultural property through the regulation of export of defined classes of cultural property.

The Canadian Cultural Property Export Control List is established by Subsection 4(1) of the Cultural Property Export and Import Act. Any object which is more than 50 years old and made by a person who is no longer living is subject to export control. The Control List must be reviewed periodically to ensure that the age and type of cultural property which is subject to export control continues to be relevant, and that the value limits are consistent with the current market for these objects.

These changes will amend value limits for some types of objects, and may expand the current categories of cultural property which are subject to export control. A comprehensive survey of the curatorial and commercial interests affected by these Regulations was undertaken, and revisions will be proposed following an assessment of the responses.

This initiative appeared in the 1991 Regulatory Plan as 115-COM.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: David A. Walden, Director, Movable Cultural Property, Heritage Policy Branch, Department of Communications, 300 Slater Street, Ottawa, Ontario, K1A 0C8. Tel. (613) 990-4161

Consumer and Corporate Affairs Canada

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General Information

Roles and Responsibilities

Consumer and Corporate Affairs Canada (CCAC) was created in 1967 to foster a more effective and efficient market system by bringing together in one department the diverse federal programs providing the regulatory framework for the Canadian marketplace. In essence, the department ensures that rules for marketplace behaviour are adequate and properly administered; redresses the imbalance between producers and consumers through consumer protection and representation; and promotes creativity, innovation and the exploitation of technology.

CCAC's mission is to promote the fair and efficient operation of the marketplace in Canada. This is achieved primarily by establishing and administering rules and guidelines for business conduct; assuring accurate information for informed consumer decisions; maintaining and encouraging competition among businesses; establishing, administering and enforcing standards for trade in commodities and services; providing protection from product-related hazards; and encouraging the disclosure and diffusion of technological information. In addition, the Minister, as Registrar General of Canada, issues and registers formal and official documents on behalf of the Government of Canada.

The department's endeavours complement other federal programs, particularly the departments of Agriculture, Communications, External Affairs and International Trade, National Health and Welfare, Transport, Finance and Justice. In keeping with its mandate for the legal structure of the Canadian market system, the department is particularly concerned with ensuring the effective and efficient administration of marketplace laws and Regulations and their appropriateness. It also protects Canadian consumers and promotes their interests.

The department's principal tools for achieving its strategic aims stem from about 70 Acts and their attendant Regulations which the department administers.

Legislative Mandate

The department has sole responsibility for the administration of the Acts listed below:

- Bankruptcy Act
- Boards of Trade Act
- Companies' Creditors Arrangement Act
- Competition Act
- Canada Business Corporations Act
- Canadian Corporations Act
- Consumer and Corporate Affairs, Department of
- Consumer Packaging and Labelling Act
- Co-operative Associations of Canada Act
- Copyright Act
- Electricity and Gas Inspection Act
- Government Companies Operation Act
- Industrial Design Act
- Insurance Companies Act, Canadian and British
- Integrated Circuit Topography Act
- Lobbyists Registration Act
- National Trademark and True Labelling Act
- "Parliament Hill", use of expression
- Patent Act
- Pension Fund Societies Act
- Precious Metals Marking Act
- Public Documents Act
- Public Officers Act
- Public Servants Inventions Act
- Seals Act
- Tax Rebate Discounting Act
- Textile Labelling Act
- Timber Marking Act
- Trade Marks Act
- Trade Unions Act
- Weights and Measures Act

Administrative Arrangements

The department has shared responsibility for the administration of the following Acts:

- Agicultural Products Standards Act
- Bell Canada Act
- Bills of Exchange Act
- Boards of Trade Act
- Broadcasting Regulations Act
- Canadian National Railways Act
- Cape Breton Development Corporation Act
- Cooperative Associations Act
- Corporations and Labour Unions Returns Act
- Criminal Records Act
- Defence Production and Services Act
- Energy Supplies Emergency 1979 Act
- Excise Act
- Extradition Act
- Feeds Act
- Fertilizers Act
- Fish Inspection Act
- Food and Drugs and Welfare Act
- Fort Falls Bridge Act
- Hazardous Products (includes WHMIS) Act
- Interest Act
- Investment Canada Act
- Land Titles Act
- Lands Surveys Canada Act
- National Transportation Act
- Northern Pipeline Act
- Pest Control Products Act
- Public Lands Grants Act
- Publication of Statutes Act
- Railway Act
- Seeds Act
- Shipping Conference Exemption 1987 Act
- St. Lawrence Seaway Authority Act
- Winding-Up Act

Initiatives

Bureau of Consumer Affairs

CCAC-1

Dealer Identity Numbers

This regulatory initiative will specify that only dealers residing in Canada are eligible to hold a CA dealer's identification number and will establish a formal revocation procedure for applicants who fail to meet the conditions outlined in the Textile Labelling and Advertising Regulations.

This amendment is intended to restrict the use and prevent the misuse of CA dealer's identification numbers. It is not anticipated that there will be any impact on industry.

This initiative appeared as 155-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Third Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Carol Knapp, Chief, Merchandise Standards Division, Consumer Products Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 997-1177

CCAC-2

Textiles Labelling – Miscellaneous

This regulatory initiative will ensure that all sections of the Textile Labelling and Advertising Regulations are uniform. It will clarify the use of terms and add articles to Schedule II of the Regulations, consistent with administrative rulings.

Since this amendment will provide clarification and consistency, it will not impose any additional costs or burden on industry.

This initiative appeared as 156-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Carol Knapp, Chief, Merchandise Standards Division, Consumer Products Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 997-1177

CCAC-3

Energuide – Revoke Regulations as CCAC Responsibility

The administration of the Energuide Program was transferred to Energy, Mines and Resources Canada, who will replace Energuide with a new program still to be developed and implemented. Therefore, a proposal to revoke the current Energuide Regulations under the Consumer Packaging and Labelling Act will be initiated.

The proposed revocation will not impose any significant impact as a similar, replacement program is planned by Energy, Mines and Resources.

This initiative appeared as 157-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Carol Knapp, Chief, Merchandise Standards Division, Consumer Products Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 997-1177

CCAC-4

Container Sizes – Powdered Laundry Detergent

This regulatory initiative, under the Consumer Packaging and Labelling Act, is intended to revoke the current requirement for standardized sizes applicable to powdered laundry detergent. The Regulation will allow flexibility in the packaging of these products without jeopardizing consumer interests.

This amendment would permit industry to meet marketplace demand for product packaging provided that size multiples, as specified in industry guidelines, are respected, thereby allowing price comparison and control of packaging proliferation.

This initiative appeared as 158-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Carol Knapp, Chief, Merchandise Standards Division, Consumer Products Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 997-1177

CCAC-5

Consumer Packaging and Labelling – Miscellaneous

This regulatory initiative to amend the Consumer Packaging and Labelling Regulations would remove and/or correct inconsistencies between the English and French versions of the Regulations and make other minor housekeeping amendments for purposes of clarification.

The amendment will have no adverse impact on clients.

This initiative appeared as 159-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Carol Knapp, Chief, Merchandise Standards Division, Consumer Products Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 997-1177

CCAC-6

Routine Food Labelling and/or Advertising Amendments

These amendments result from routine submissions requesting changes to the labelling and/or advertising provisions of the Food and Drug Regulations including submissions for changes to ingredient statements and claims, and nutrition labelling.

It is impossible to anticipate the exact nature or extent of all of the submissions that could be made during the year. If the anticipated impact of these proposals is significant, they will be shown as specific entries.

This initiative appeared as 135-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Since these are contingent upon submissions being made to CCAC, it is impossible to predict the dates of prepublication

Contact: G.F. Reasbeck, Chief, Food Division, Consumer Products Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-1485

CCAC-7

Simplified Common Name for Methylcellulose and Hydroxypropylmethyl Cellulose

In response to a submission from a manufacturer of these food additives, it will be proposed that methylcellulose and hydroxypropylmethyl cellulose, when used as ingredients in foods, be permitted to be declared by the general collective term "modified cellulose."

It will also be proposed that carboxymethyl cellulose, which may currently be declared as "cellulose gum," also be permitted to be declared as "modified cellulose" in the list of ingredients.

The proposed nomenclature will be simpler, yet informative, to consumers and serve to harmonize the manner in which these additives are declared. This change is consistent with the position of the Food and Agriculture Organization of the United Nations/World Health Organization (FAO/WHO) Codex Expert Committee on Food Additives. No substantial impact on the industry is anticipated.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: G.F. Reasbeck, Chief, Food Division, Consumer Products Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-1485

CCAC-8

Label Declarations of Decaffeinating Agents Used in Decaffeinated Tea and Coffee

This amendment, which follows a request from the industry, would modify the declaration of decaffeinating agents in tea and coffee. The label would contain a statement referring to the decaffeinating process as well as the specific decaffeinating agent by means of a statement such as "Decaffeinated With (name of the agent)." This would replace the present requirement of its mention in the list of ingredients.

By identifying the function of the decaffeinating agent, the proposed statement will provide consumers with more precise information than a declaration in the list of ingredients. It will also benefit the tea and coffee industry.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: G.F. Reasbeck, Chief, Food Division, Consumer Products Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-1485

CCAC-9

Cribs and Cradles – Child Safety

An amendment to the Cribs and Cradles Regulations is being proposed to address potential hazards associated with toeholds that enable a child to climb out of a crib and risk injury, such as horizontal bars on ledges below a crib's top rail. Another amendment will clarify the definitions for portable and standard cribs. It proposes to divide the requirements for cribs and cradles into two separate Regulations.

The potential impact is not expected to be high since adequate lead time has been provided for industry to modify these products. Babies and small children will benefit from the increased safety.

This initiative appeared as 141-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Léger, Chief, Mechanical and Electrical Hazards Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-8084

CCAC-10

Carriages and Strollers – Child Safety

The number of injuries associated with carriages and strollers has not decreased since the introduction of Regulations in 1985. An amendment to the Carriages and Strollers Regulations is being proposed to address serious shortcomings in the current Regulations and to accommodate changes in the state-of-the-art product design and performance.

The anticipated impact on industry is not expected to be high since adequate lead time will be provided to modify these products. Infants and small children will benefit from increased safety.

This initiative appeared as 139-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Léger, Chief, Mechanical and Electrical Hazards Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-8084

CCAC-11

Pacifiers – Child Safety

An amendment to the Pacifiers Regulations would modify test methods to review sterility and toxicity requirements and to address potential hazards associated with new pacifier designs.

The potential impact is expected to be minimal as adequate lead time will be provided for industry to modify these products. Babies and young children will benefit from increased product safety.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I

Contact: M. Léger, Chief, Mechanical and Electrical Hazards Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-3084

CCAC-12

Toys and Other Equipment for Children – Sound Levels

Part I of Schedule I to the Hazardous Products Act prescribes requirements for toys, equipment and other products that make or emit noise that are designed for use by children in learning or play. Recent research in audiology has suggested that the currently allowable sound level of 100 dB(A) is too high. It is proposed to amend the schedule to lower the allowable sound level and to clarify the test procedure.

There will be a minor impact on industry as some toys will require redesign. However, a sufficient lead time will eliminate a negative cost impact. Industry will benefit from a clarification of testing procedures, and young children will benefit from increased protection from hearing damage.

This is a new initiative

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I

Contact: M. Léger, Chief, Mechanical and Electrical Hazards Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-8084

CCAC-13

Liquid Coating Materials – Product Safety

This regulatory initiative is intended to ensure that lead and mercury do not pose a hazard to consumers, especially children.

The changes will eliminate the deliberate addition of mercury to house paints and other liquid coating materials intended for use by consumers. The amount of lead permitted in paints, to which consumers may be exposed, will be significantly reduced.

The impact on industry is expected to be small because the majority of liquid coating materials currently manufactured in Canada meet the expected amendments. There will be some reformulation costs for specialty products and for the minority of producers who currently use lead or mercury compounds in consumer paints.

This initiative appeared as 144-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Viau, Chief, Chemical and Biological Hazards Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-2141

CCAC-14

Matches – Revise Regulations to Reduce Hazards

This regulatory initiative is intended to revise the Hazardous Products (Matches) Regulations. These Regulations were implemented in 1972 to address specific hazards due to the propelling of hot particles, breaking of match splints and glowing of match heads after extinction.

From 1972 to 1990, 177 complaints, involving 28 injuries, were received with respect to the accidental ignition, and other problems, of strike-anywhere matches. The proposed revisions will address these hazards and will also bring Regulations in accordance with the technological developments of match production and testing.

Compliance with the proposed revisions will not cause a significant increase in the production cost of matches for domestic manufacturers, who supply over 90 per cent of the Canadian market. Furthermore, since 1981, the production of matches has decreased by nearly 60 per cent. This decrease is attributed mainly to the continued increase of lighter sales.

This initiative appeared as 145-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Viau, Chief, Chemical and Biological Hazards Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-2141

CCAC-15

Glazed Ceramics – Product Safety

This regulatory initiative is intended to ensure that glazed ceramic products used in contact with food do not pose a hazard to consumers by releasing lead or cadmium. These metals are potent chronic poisons to which children are especially vulnerable.

The anticipated changes will reduce the maximum permissable amounts of lead and cadmium which may be released from the regulated product under specified test conditions.

The impact would be minor as the large majority of glazed ceramic foodware products sold in Canada already comply with the anticipated amendments.

This initiative appeared as 142-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Viau, Chief, Chemical and Biological Hazards Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec. K1A 0C9. Tel. (819) 953-2141

CCAC-16

Hydrofluoric Acid and Fluoride Ions in Consumer Chemical Products

This regulatory initiative is intended to restrict the sale of consumer chemical products containing hydrofluoric acid and fluoride ions and to require specific warning labels and child-resistant containers for glass-etching compounds.

Hydrofluoric acid, an extremely corrosive and toxic chemical, can cause deep, slow-healing burns to the skin and may cause systemic poisoning. Many physicians are unaware of the special treatment required. Other sources of fluoride ions pose a similar hazard.

There will be little impact on industry since substitutes are available with the exception of glass-etching products. The cost for these products to meet regulatory requirements will be minimal, and users of this product will be better protected.

This initiative appeared as 143-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Viau, Chief, Chemical and Biological Hazards Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-2141

CCAC-17

WHMIS – Controlled Products

The Controlled Products Regulations (CPR) and the Ingredient Disclosure List (IDL) were announced on 31 December 1987, as part of the Workplace Hazardous Materials Information System (WHMIS). Amendments to the CPR and IDL are foreseen that will reflect elaborations of WHMIS which were developed between industry, labour and federal and provincial governments. These revisions will be identified during the regulatory process.

The amendments will serve to clarify the requirements of the Regulations, thereby enabling uniform application.

This initiative appeared as 146-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Brownstein, Chief, WHMIS Division, Product Safety Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-3080

CCAC-18

Electricity and Gas Inspection Regulations – Minor Revisions to Inspection Fees and Charges

Inspection fees and charges are being amended to permit the implementation of the new Electricity and Gas Quality Monitoring Program. This program will progressively reduce inspection costs to utilities which consistently demonstrate a high level of product quality.

In addition, several new categories of fees and charges will be created to cover the inspection of new measurement technology. The schedule of fees and charges will be reviewed in the context of government policy for recovering costs of services where appropriate.

Since these amendments are minor in nature, no adverse impact is expected.

This initiative appeared as 147-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: H.L. Fraser, Chief, Electricity and Gas, Legal Metrology Branch, Consumer and Corporate Affairs Canada, Ottawa, Ontario, K1A 0C9. Tel. (613) 952-0635

CCAC-19

Electricity and Gas Inspection Regulations – Ongoing Technical Revisions

A review of the Regulations has identified several anomalies and technical inconsistencies as well as a number of procedural requirements that need amendment in order to facilitate effective and efficient implementation of the legislation. This proposal will serve to correct the deficiencies identified.

Since these technical amendments will clarify meaning, ensure consistency and improve operational efficiency, no adverse impact is expected.

This initiative appeared as 148-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: H.L. Fraser, Chief, Electricity and Gas, Legal Metrology Branch, Consumer and Corporate Affairs Canada, Ottawa, Ontario, K1A 0C9. Tel. (613) 952-0635

CCAC-20

Weights and Measures – Ongoing Minor Revisions and Additions

Amendments to the current Regulations are necessary to make changes, including revoking outdated Regulations, recognizing current inspection methodologies and revising certain sections to simplify and clarify intent.

These amendments are minor in nature and their impact will be negligible.

This initiative appeared as 150-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: R.C. Bruce, Chief, Weights and Measures, Legal Metrology Branch, Consumer and Corporate Affairs Canada, Ottawa, Ontario, K1A 0C9. Tel. (613) 952-2625

CCAC-21

Weights and Measures – Ongoing Limits of Error for Exempted Devices

The Weights and Measures Act requires that all weighing and measuring devices used in trade be approved and inspected. Certain devices, including water meters, taxi meters, parking meters and other time-measuring devices are exempted from these requirements by the Weights and Measures Regulations.

Proposed amendments will update the Regulations to reflect current administrative practices and will establish minimum standards of accuracy and performance for devices exempted from approval and inspection.

This initiative appeared as 151-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: R.C. Bruce, Chief, Weights and Measures, Legal Metrology Branch, Consumer and Corporate Affairs Canada, Ottawa, Ontario, K1A 0C9. Tel. (613) 952-2625

CCAC-22

Weights and Measures – Sealing Provisions for Weighing and Measuring Devices

The Weights and Measures Act requires that metrological functions which may affect the accuracy or performance of a weighing or measuring device be secured in a manner which prevents unauthorized adjustments. For many devices, the traditional physical seal continues to be an acceptable means of controlling access to metrological adjustments. However, for many software- based weighing and measuring systems, new electronic sealing methods are now available and are considered necessary to deter unauthorized adjustments.

Proposed amendments to the Weights and Measures Regulations will establish requirements for metrological audit trails to maintain an acceptible level of standards for measurement of accuracy and performance. Electronic sealing methods will allow device manufacturers more flexibility in product design, and consumers will benefit from state-of-the-art measurement technology and improved device security which reduces unauthorized adjustments.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R.C. Bruce, Chief, Weights and Measures, Legal Metrology Branch, Consumer and Corporate Affairs Canada, Ottawa, Ontario, K1A 0C9. Tel. (613) 952-2625

CCAC-23

Weights and Measures – Fees and Charges

Fees and charges for device approval, inspection and other services provided by inspectors are being reviewed and adjusted in accordance with government policy on user fees and charges.

Any new or amended fees and charges will be based on cost-recovery measures. Fees and charges were last increased in October 1987.

This initiative appeared as 152-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: R.C. Bruce, Chief, Weights and Measures, Legal Metrology Branch, Consumer and Corporate Affairs Canada, Ottawa, Ontario, K1A 0C9. Tel. (613) 952-2625

CCAC-24

Discounting Forms – Minor Revisions (TRDA)

The Regulations under the Tax Rebate Discounting Act (TRDA) prescribe "Statement of Discounting Transaction" and "Disclosure of Actual Refund" forms which are used by the public.

In order to facilitate the ability of both Consumer and Corporate Affairs Canada and Revenue Canada, Taxation in entering data from the Schedule I form into a computer data base, identifying numbers need to be placed on the form, and date and place boxes need to be rearranged. Typographical errors will be corrected on both Schedule I and II forms, and wording will be made consistent with that currently employed by Revenue Canada. Both legal terminology and plain language will be used in the general updating of the forms.

The direct costs of changing the forms are not significant, as the department presently supplies, without charge, a certain number of forms to small businesses, and provides, at no cost, positive reproduction proofs to larger businesses which print their own forms. This is a technical amendment which will have no adverse impact.

This initiative appeared as 136-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Marion Clark, Administrator, Tax Rebate Discounting Act, Consumer Policy and Services Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-3630

CCAC-25

Fees for Services and Forms Provided to Discounters

This proposal is intended to give discounters notice that Consumer and Corporate Affairs Canada, in accordance with Section 10 of the Tax Rebate Discounting Act, will request the Governor in Council to make Regulations setting fees to be charged for any services or forms provided to discounters by CCAC.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Marion Clark, Administrator, Tax Rebate Discounting Act, Consumer Policy and Services Branch, Consumer and Corporate Affairs Canada, Place du Portage, Phase I, Hull, Quebec, K1A 0C9. Tel. (819) 953-3630

Bureau of Corporate Affairs and Legislative Policy

CCAC-26

Trade-marks – Revision (Update Regulations)

Amendments will be made to the Trade-marks Regulations to make them more consistent with current jurisprudence and with current practices and procedures utilised in the Trade-marks Office. Those Regulations which are redundant or have been found ultra vires by the Federal Court will be deleted. Wording of certain Regulations is to be amended so that the terminology in the Regulations is consistent with the Trade-marks Act.

The Trade-marks Regulations were drafted while the present Trade-marks Act was being implemented in 1952, and remain in the same form today, with the exception of a few minor amendments. Since 1952, decisions have been rendered by the Federal Court which has found portions of the Regulations ultra vires. The Trade-marks Office has found particular rules to be less than effective insofar as implementing the provisions of the Trade-marks Act, while other rules impede the efficiency of the Trade-marks Office. As well, periodic concerns have been raised by trade-mark practitioners that certain rules should be amended to facilitate the handling of trade-mark matters before the Trade-marks Office. The proposed changes to the Regulations will affect almost every rule, but will not have an impact on existing substantive rights which are presently accorded to trade-mark owners by the Regulations. Most of the changes will affect the documentation presently filed by the public or its handling by the Trade-marks Office, thus decreasing the paper workload for both the public and the Trade-marks Office and improving service to the public.

All services received by trade-mark applicants are paid for by the owners of the rights registered by the office on a complete cost-recovery basis. At least 40 per cent of revenues generated by the Trade-marks Office come from outside Canada.

The Trade-marks agents initiative which appeared in the 1991 Regulatory Plan as 128-CCAC is now incorporated within this Trade-marks revision.

This initiative appeared as 123-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.H.A. Gariépy, Registrar of Trade-marks, Intellectual Property Directorate, Consumer and Corporate Affairs Canada, Hull, Quebec, K1A 0C9. Tel. (819) 997-4418

CCAC-27

Patents – Reissue (Repeal Rule 82)

Rule 82 of the Patent Rules will be amended as certain provisions are no longer applicable. Rule 82 requires that all records relating to patent reissue applications be removed from files or from the register, when the patent is not reissued.

The general amendments following an Act to amend the Patent Act came into force on 1 October 1989. One of the new provisions requires that all applications, including applications for reissue, be laid open for public inspection.

This is in direct conflict with the procedure set forth in Rule 82. The amendment will eliminate this inconsistency.

This initiative appeared as 129-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Davies, Acting Director, Patent Examination Branch, Intellectual Property Directorate, Consumer and Corporate Affairs Canada, Hull, Quebec, K1A 0C9.
Tel. (819) 997-2930

CCAC-28

Patents – Patent Co-operation Treaty

The Regulations for carrying into effect the terms of the Patent Co-operation Treaty (PCT), done at Washington on 19 June 1970, will be amended to require applicants to provide the Canadian Patent Office (CPO) with certain information within a more appropriate time frame.

The Patent Co-operation Treaty (PCT) came into effect on 2 January 1990. Since then, the CPO has found that a certain number of applicants are experiencing difficulties with the PCT's national entry requirements. The present rules require that applicants submit information pursuant to Canadian requirements not later than the expiration of 21 months, or 31 months after the priority date. Some of this information pertains to the submission of assignments from inventors to applicants and it has sometimes proven difficult for applicants to provide this information within the specified time.

The amendment will lengthen the period for submission of the information to 26 months, or 36 months from the priority date. This will still enable the CPO to process these applications within acceptable time limits and liberate applicants from submitting information in a very rapid fashion. This will also reduce the workload of the CPO by limiting the number of actions required to complete international applications upon entry into the national phase.

This initiative appeared as 130-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Trépanier, Director, Patent Co-operation Treaty Office, Intellectual Property Directorate, Consumer and Corporate Affairs Canada, Hull, Quebec, K1A 0C9.
Tel. (819) 997-1947

CCAC-29

Patents – Nucleotide/Amino Acid Sequence Disclosures

This initiative will introduce the following new patent rules requirements: the use of standard symbols and formats for the presentation of nucleotide and/or amino acid sequence data in biotechnology patent applications, the submission of the sequence data and all related information in a standard format as a separate part of the disclosure under the heading "Sequence Listing" and the submission of a computer readable copy of the "Sequence Listing."

Prompted by the complexity and lack of standardization of formats and symbols, the implementation of these new rules would result in more accurate and practical sequence searches, efficient examination of patent applications, conformity of usage with the scientific community, establishment of a Patent Office data base of sequence data disclosed in patent applications and promotion of dissemination of sequence data in electronic form.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Davies, Acting Director, Patent Examination Branch, Intellectual Property Directorate, Consumer and Corporate Affairs Canada, Hull, Quebec, K1A 0C9.
Tel. (819) 997-2930

CCAC-30

Integrated Circuit Topography Protection

This new legislative initiative is intended to address the protection of semiconductor chips produced by the electronic industry.

The Integrated Circuit Topography Bill was given royal assent on 27 June 1990. These Regulations will stipulate the manner in which applications to protect the layout designs or topographies of semiconductor chip products will be filed and registered by the Intellectual Property Directorate.

This initiative appeared as 124-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: L. Steingarten, Director, Copyright and Industrial Design Branch, Intellectual Property Directorate, Consumer and Corporate Affairs Canada, Hull, Quebec, K1A 0C9.
Tel. (819) 997-1657

CCAC-31

Intellectual Property Improvement Bill

It is expected that an Intellectual Property Improvement Bill will be given assent early in 1992. The purpose of this bill is to make amendments to a number of intellectual property Acts where there is general consensus for need for change.

The amendments will eliminate the submission of unnecessary extra copies of patent claims, patent filing requirements (electronic), trade-mark registered users registration requirements, requirements for registration of trade-marks and industrial design marking and application requirements; amend Section 34 of the Patent Act to permit deposits of biological material to be part of the description; and implement technical amendments to improve the operation and administration of the Copyright Office.

These amendments have been discussed at length with the intellectual property advisory committee that approved these proposals.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: J.H.A. Gariépy, Commissioner of Patents, Registrar of Trade-marks, Intellectual Property Directorate, Consumer and Corporate Affairs Canada, Hull, Quebec, K1A 0C9. Tel. (819) 997-4418

CCAC-32

Canada Business Corporations – Name Search

Requirements for corporate name search reports will be added to the Canada Business Corporations Regulations, since at the present time these requirements are only listed on the applicable forms. Regulation 15, revoked by SOR/86-365, s. 1, will be replaced by a new rule modelled after Rule 18 of the Ontario Business Corporations Regulations.

Corporate name search requirements will be clearer if included in both the Regulations and the applicable forms. Greater uniformity with provincial requirements will be achieved.

This initiative appeared as 116-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: An exemption from prepublication has been requested in accordance with Subsection 261(3) of the Canada Business Corporations Act. First Quarter, 1992, *Canada Gazette*, Part II

Contact: George F. Redling, Director General, Corporations Directorate, Consumer and Corporate Affairs Canada, Place du Portage, Phase II, 4th Floor, 50 Victoria Street, Hull, Quebec, K1A 0C9. Tel. (819) 997-1058

CCAC-33

Canada Business Corporations – Corporate Names

Canada Business Corporations Regulations respecting corporate names are in need of updating to clarify their scope. Regulations 27(1)(a), 27(1)(b) and 28(2) are affected.

This will clarify various exceptions under the Regulations with respect to prohibited corporate names.

This initiative appeared as 117-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: An exemption from prepublication has been requested in accordance with Subsection 261(3) of the Canada Business Corporations Act. First Quarter, 1992, *Canada Gazette*, Part II

Contact: George F. Redling, Director General, Corporations Directorate, Consumer and Corporate Affairs Canada, Place du Portage, Phase II, 4th Floor, 50 Victoria Street, Hull, Quebec, K1A 0C9. Tel. (819) 997-1058

CCAC-34

Canada Business Corporations – Schedule I – Forms

A redrafting of various forms in Schedule I of the Canada Business Corporations Regulations is required in order to clarify them. Except for Form 24, all forms are affected, particularly 3, 6, 9, 10, 11, 14.1, 15, 17, 19 and 20.

This amendment will clarify various requirements under the Regulations in format and content of submissions or documents sent to or issued by the Director appointed under the Canada Business Corporations Act.

This initiative appeared as 118-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: An exemption from prepublication has been requested in accordance with Subsection 261(3) of the Canada Business Corporations Act. First Quarter, 1992, *Canada Gazette*, Part II

Contact: George F. Redling, Director General, Corporations Directorate, Consumer and Corporate Affairs Canada, Place du Portage, Phase II, 4th Floor, 50 Victoria Street, Hull, Quebec, K1A 0C9. Tel. (819) 997-1058

CCAC-35

Canada Co-operative Association – Co-operatives Tariff of Fees

Further to the proclamation of the Revised Statutes of Canada, 1985 Act on 12 December 1988, it is necessary to amend the Co-operatives Tariff of Fees in order to reflect the changes in numbering of the Canada Co-operative Associations Act.

This revision will make the Regulations correspond with the revised version of the Act. No major impact is expected to result from these amendments.

This initiative appeared as 119-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: An exemption from prepublication will be requested due to its inconsequential nature. First Quarter, 1992, *Canada Gazette*, Part II

Contact: George F. Redling, Director General, Corporations Directorate, Consumer and Corporate Affairs Canada, Place du Portage, Phase II, 4th Floor, 50 Victoria Street, Hull, Quebec, K1A 0C9. Tel. (819) 997-1058

CCAC-36

Canada Business Corporations – Schedule II – Fees

Section 1 of the Schedule of Fees under the Canada Business Corporations Regulations is amended in order to reflect technological change and to reflect more accurately the services available from the Director under Subsection 267(2) of the Canada Business Corporations Act (CBCA). Subsection 1(c) of the Schedule of Fees is revoked and Subsection 1(d) is amended.

Since the privatization of the name search function in 1986, the Director no longer handles requests for name searches or analyses of trade name data bases that cannot be effected by a standard computer search. Therefore Subsection 1(c) of the Schedule of Fees is obsolete.

While requests for searches or analyses of the Director's records in accordance with Subsection 1(d) of the Schedule of Fees continue to be accommodated, there are currently no clear provisions in the Regulations to accommodate requests for the Director's records in their entirety in machine-readable form. The provision of such a service will be of benefit to clients in that they will receive more timely service. Additional benefits will accrue to the Corporations Directorate in terms of efficiency gains.

This initiative appeared as 120-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: An exemption from prepublication will be requested in accordance with Subsection 261(3) of the Canada Business Corporations Act. Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: George F. Redling, Director General, Corporations Directorate, Consumer and Corporate Affairs Canada, Place du Portage, Phase II, 4th Floor, 50 Victoria Street, Hull, Quebec, K1A 0C9. Tel. (819) 997-1058

CCAC-37

Canada Business Corporations – Fees – Certificate of Compliance

This regulatory initiative modifies the fee structure applicable to certificates of compliance which are issued by the Director appointed under the Canada Business Corporations Act.

Schedule II of the Canada Business Corporations Regulations now provides for the payment of a $10 fee for the issuance of a certificate of compliance. This certificate cannot be issued if the corporation is not in good standing. In such cases, fees must be refunded.

It is therefore proposed that the fee for the issuance of a certificate of compliance be revoked and replaced with a non-refundable processing fee of $10 that is applicable to each request for a certificate of compliance.

As a result of this amendment, the number of refunds processed will be significantly reduced.

This initiative appeared as 121-CCAC in the 1991 Regulatory Plan.

Expected Date of Publication: An exemption from prepublication will be requested in accordance with Subsection 261(3) of the Canada Business Corporations Act. Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: George F. Redling, Director General, Corporations Directorate, Consumer and Corporate Affairs Canada, Place du Portage, Phase II, 4th Floor, 50 Victoria Street, Hull, Quebec, K1A 0C9. Tel. (819) 997-1058

CCAC-38

Bankruptcy-Insolvency Legislation: Consequential Amendments of Rules

Tabled on 13 June 1991, the purpose of Bill C-22 is to enact the Wage Claim Payment Act, to amend the Bankruptcy Act and to amend other Acts in consequence thereof. If adopted by Parliament, this new legislation will require an overall review of the existing rules under insolvency law statutes.

Changes to existing bankruptcy and insolvency rules will increase the scope of regulatory controls and streamline administrative practices.

This is a new initiative.

Expected Date of Publication: The timetable for such changes would be dependent on the passing of the legislation by Parliament, the date of its coming into force and on its extent

Contact: Henri Massüe-Monat, Assistant Superintendent (Regulatory and International Affairs), Consumer and Corporate Affairs Canada, Bankruptcy Branch, Place du Portage, Phase II, 2nd Floor, Commercial Level, Hull, Quebec, K1A 0C9. Tel. (819) 997-3825

Department of Finance Canada

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General Information

Roles and Responsibilities

The Department of Finance operates under sections 14 to 16 of the Financial Administration Act which provides the Minister of Finance with the broad responsibility for the management of the Consolidated Revenue Fund and the supervision, control and direction of all matters relating to the financial affairs of Canada not by law assigned to the Treasury Board or to any other minister.

The Department of Finance is the central agency of the federal government responsible for advice on the economic and financial affairs of Canada. It oversees all government actions affecting the economy to ensure harmony, follows the development of external factors that affect domestic economic performance and examines the economic actions taken by other Orders of government.

The department's most visible output is the federal budget. The budget speech provides an authoritative review of past, present and future economic factors that will affect the country's economic performance and the nation's finances. This document reviews the government's accounts for the past year and presents its fiscal projections for the coming years. These include the government's expenditure program, revenues from existing sources, taxation changes and debt levels.

Legislative Mandate

The Department of Finance is wholly or partly responsible for administering the following Acts:

- Bank Act
- Bank of Canada Act
- Banks and Banking Law Revision Act
- Bills of Exchange Act

- Bretton Woods Agreements Act
- Canada Deposit Insurance Corporation Act
- Canada Development Corporation Reorganization Act
- Canada-Newfoundland Atlantic Accord Implementation Act
- Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act
- Canada-Nova Scotia Oil and Gas Agreement Act
- Canada Pension Plan Act
- Canadian International Trade Tribunal Act
- Canadian National Railways Capital Revision Act
- Canadian National Railways Refunding Act
- Canadian National Steamships (West Indies Service) Act
- Canadian Payments Association Act
- Cooperative Credit Associations Act
- Currency Act
- Customs and Excise Offshore Application Act
- Customs Tariff
- Diplomatic Service (Special) Superannuation Act
- European Bank for Reconstruction and Development Agreement Act
- Excise Tax Act
- Export Credits Insurance Act
- Federal-Provincial Fiscal Arrangements and Federal Post-Secondary Education and Health Contributions Act
- Financial Administration Act
- Foreign Insurance Companies Act
- Garnishment, Attachment and Pension Diversion Act
- Governor General's Retiring Annuity Act
- Halifax Relief Commission Pension Continuation Act
- Income Tax Act
- Income Tax Conventions Interpretation Act
- Insurance Companies Canadian and British Act
- Interest Act
- International Development (Financial Institutions) Assistance Act
- Investment Companies Act
- Loan Companies Act
- Members of Parliament Retiring Allowances Act
- Newfoundland Additional Financial Assistance Act
- Nova Scotia Offshore Retail Sales Tax Act
- Office of the Superintendent of Financial Institutions Act
- Oil Export Tax Act
- Pension Benefits Standards Act
- Petro-Canada Public Participating Act
- Prairie Grain Loans Act
- Prince Edward Island Subsidy Act
- Proceeds of Crime (Money Laundering) Act
- Provincial Subsidies Act
- Public Service Superannuation Act
- Quebec Savings Banks Act
- Residential Mortgage Financing Act
- Small Business Loans Act
- Special Import Measures Act
- Tariff Board Act
- Teleglobe Canada Reorganization and Divestiture Act
- Temporary Wheat Reserves Act
- Trust Companies Act
- Winding-Up Act

Initiatives

FIN-1

Offshore Area Certificate of Registration Regulations

The Regulation would specify, for people who collect tax under the Nova Scotia Offshore Retail Sales Tax Act, where the Certificate of Registration is to be displayed and when it must be revised or returned.

This is a minor administrative matter which would only clarify the application of the Act, with no significant economic or regulatory impact.

This initiative appeared in the 1991 Regulatory Plan as 160-FIN.

Expected Date of Publication: First Quarter 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Neera Huckvale, Resource Economist, Resource Policy, Environment, Energy and Resource Division, Department of Finance, Ottawa, Ontario, K1A 0G5.
Tel. (613) 996-4987

FIN-2

Offshore Area Exemption Regulations

The Regulation would exempt from the tax payable under the Nova Scotia Offshore Retail Sales Tax Act, certain large vessels and equipment used to repair them, transfers of property between related persons and corporations, and goods on which tax had already been paid.

The absolute level of the impact of the Regulation is difficult to assess.

This initiative appeared in the 1991 Regulatory Plan as 161-FIN.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Neera Huckvale, Resource Economist, Resource Policy, Environment, Energy and Resource Division, Department of Finance, Ottawa, Ontario, K1A 0G5.
Tel. (613) 996-4987

FIN-3

Drilling Rigs Regulations

The Regulation would reduce the amount of tax payable on offshore drilling rigs under the Nova Scotia Offshore Retail Sales Tax Act to a prorated amount over a number of years.

The Regulation would relieve a portion of the tax liability in respect of offshore drilling rigs. The absolute level of this has not yet been assessed.

This initiative appeared in the 1991 Regulatory Plan as 162-FIN.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Neera Huckvale, Resource Economist, Resource Policy, Environment, Energy and Resource Division, Department of Finance, Ottawa, Ontario, K1A 0G5.
Tel. (613) 996-4987

FIN-4

Nova Scotia Sales Tax Rate of Interest Regulations

The Regulation would set the rate of interest payable on late remittances of tax payable under the Nova Scotia Offshore Retail Sales Tax Act to equal the rate on Government of Canada Treasury Bills.

It is expected that this rate of interest, in combination with the five per cent penalty specified in the Act, would substantially eliminate any incentive for taxpayers not to remit taxes promptly. Late payment of tax is not currently a problem.

This initiative appeared in the 1991 Regulatory Plan as 163-FIN.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Neera Huckvale, Resource Economist, Resource Policy, Environment, Energy and Resource Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 996-4987

FIN-5

Nova Scotia Offshore Revenue Account Regulations

The Canada-Nova Scotia Offshore Petroleum Resources Act authorizes the Minister of Energy, Mines and Resources to transfer to the Government of Nova Scotia an amount equal to the consumption taxes, insurance premium tax, provincial share of corporate income tax, royalties, rentals and fees collected in relation to oil and gas activity in the offshore. This Regulation will specify the time and manner of these payments.

The Regulation is only for the internal management of government.

This initiative appeared in the 1990 Regulatory Plan as 235-FIN.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Neera Huckvale, Resource Economist, Resource Policy, Environment, Energy and Resource Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 996-4987

FIN-6

Newfoundland Offshore Petroleum Resource Revenue Account Regulations

The Atlantic Accord Implementation Act authorizes the Minister of Energy, Mines and Resources to transfer to the Government of Newfoundland an amount equal to the proceeds of consumption taxes, insurance companies tax, provincial share of corporate income tax, royalties and rentals and fees associated with oil and gas activity in the Newfoundland Offshore. The Regulation would specify the time and the manner of payment of these amounts.

The Regulation is only for the internal management of government.

This initiative appeared in the 1990 Regulatory Plan as 237-FIN.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Neera Huckvale, Resource Economist, Resource Policy, Environment, Energy and Resource Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 996-4987

FIN-7

Federal-Provincial Fiscal Arrangements Regulations, 1987

Recommendations are occasionally made by the Minister of Finance to the Governor in Council to amend the Regulations dealing with the fiscal equalization, fiscal stabilization and revenue guarantee programs. These amendments are usually technical in nature and introduced to improve the administration of these various programs.

The Regulations deal with the time and manner of determining and making payments to provincial governments in respect of fiscal arrangements programs. There are no compliance costs to the private sector, and no direct impact on the general public, businesses, the economy or on markets in general. Provinces are consulted prior to amendments being made.

This initiative appeared in the 1991 Regulatory Plan as 164-FIN.

Expected Date of Publication: The exact nature of the proposals are generally not known in time to permit prepublication. As required in *Canada Gazette*, Part II

Contact: Ross MacLeod, Federal-Provincial Relations Division, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-8138

FIN-8

Tax Collection Agreements and Federal Post-secondary Education and Health Contributions Regulations, 1987

Recommendations are occasionally made by the Minister of Finance to the Governor in Council to amend the Regulations dealing with the tax collection agreements and established programs financing. These amendments are usually technical in nature and introduced to improve the administration of these various programs.

The Regulations deal with the time and manner of determining and making payments to provincial governments in respect of tax collection agreements and established programs financing. There are no compliance costs to the private sector, and no direct impact on the general public, businesses, the economy or on markets in general. Provinces are consulted prior to amendments being made.

This initiative appeared in the 1991 Regulatory Plan as 165-FIN.

Expected Date of Publication: The exact nature of the proposals are generally not known in time to permit prepublication. As required in *Canada Gazette*, Part II

Contact: Ross MacLeod, Federal-Provincial Relations Division, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-8138

FIN-9

Temporary Reduction, Removal or Drawback of Customs Duties

In response to requests from Canadian manufacturers, tariff rates on inputs to manufacturing processes are sometimes temporarily reduced or eliminated when like or substitutable products are not available from Canadian production. These are introduced through amendments to the Customs Duties Reduction or Removal Order, 1988, the Chemicals and Plastics Duties Reduction or Removal Order, 1988 and Schedule V to the Customs Tariff. These Orders are also amended from time to time to extend the period during which the duty relief will be in existence or to restore the statutory tariff rates when warranted.

Duty relief on inputs strengthens Canadian manufacturing capacity by assisting Canadian manufacturers to compete more effectively in the domestic market against imports from other countries.

This initiative appeared in the 1991 Regulatory Plan as 166-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-10

Sports Equipment

The Customs Tariff provides duty-free entry of sports equipment unavailable from Canadian producers, which meets international competition standards and is certified by the Sports Federation of Canada as being required by athletes in training for, or competing in, international competitions. Orders made under this authority add products to the list of goods qualifying for duty-free entry.

The duty-free entry of sports equipment meeting international standards assists Canadian athletes in training for, or competing in, international amateur competitions. The interests of Canadian manufacturers are also protected since equipment allowed duty-free entry is not generally available from Canadian production.

This initiative appeared in the 1991 Regulatory Plan as 167-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-11

Goods for Disabled Persons

The Customs Tariff provides duty-free entry for goods specifically designed for the use of disabled persons. The goods qualifying for free entry are designated by the Governor in Council when comparable goods are not available from producers in Canada. Orders made under this authority add products to the list of goods qualifying for duty-free entry.

The provision of duty-free entry of goods for disabled persons by Order-in-Council provides flexibility in responding to the needs of disabled persons while, at the same time, providing adequate protection for Canadian manufacturers. Before a recommendation is made to Council, full consultation is carried out with those who could be affected by a change in tariff rates.

This initiative appeared in the 1991 Regulatory Plan as 168-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-12

Tariff Treatment – Rules of Origin

Rules of origin determine the country of origin of goods and hence the level of tariff treatment applicable to those goods. Amendments could be made to the following Regulations in 1992: the General Preferential Tariff and Least Developed Developing Countries Rules of Origin Regulations, the British Preferential Tariff and Most-Favoured-Nation Tariff Rules of Origin Regulations, the New Zealand and Australia Rules of Origin Regulations, the Caribcan Rules of Origin Regulations, the United States Tariff Rules of Origin Regulations, and United States Rules of Origin for Casual Goods Regulations. As well, new rules of origin may be introduced as a result of the North American free trade negotiations.

Rules of Origin Regulations determine the tariff treatment accorded imported goods. Proposed amendments would be made following consultation with Canadian industry and importers. Minimal impact is foreseen.

This initiative appeared in the 1991 Regulatory Plan as 169-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-13

General Preferential Tariff Orders

Canada provides a system of preferential tariff rates for developing countries referred to as the General Preferential Tariff (GPT), as well as special duty-free entry for the least-developed developing countries. On occasion, it becomes necessary to withdraw such preferences, particularly when Canadian manufacturers are injured by imports into Canada under the reduced rates. Normally, recommendations for withdrawal are made following public hearings and a report by the Canadian International Trade Tribunal which is tabled in the House of Commons. Alternatively, the GPT regime may be expanded or liberalized either in terms of rates of duty, product coverage or country coverage.

Withdrawal of preferential rates of duty alleviates the injury incurred by domestic industry. Expansion of the preferences satisfies Canada's international commitment to help promote trade from developing countries.

This initiative appeared in the 1991 Regulatory Plan as 170-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-14

The General Agreement on Tariffs and Trade and Other Trade Agreements

Under certain circumstances, recommendations are made by the Minister of Finance and the Secretary of State for External Affairs to the Governor in Council to modify tariff rates on imported products in response to domestic or international situations where Canada's rights or obligations under the General Agreement on Tariffs and Trade (GATT), the Canada-U.S. Free Trade Agreement (FTA) or other trade agreements are involved. Regulations under these authorities are usually made in response to international trade situations that occasionally arise and which may not be known in advance. Recommendations to the Governor in Council involve either urgent domestic situations, e.g., surtaxes or retaliatory response to actions by other countries which negatively affect Canadian exports, or reductions in tariff rates which have been negotiated with our trading partners (as in the context of the current round of multilateral trade negotiations) and which may, in some instances, need to be implemented within a short time.

The modification to tariff rates under GATT, the FTA or other trade agreements are largely undertaken to benefit and protect Canada's trading interests.

This initiative appeared in the 1991 Regulatory Plan as 171-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-15

Preferential Tariff Treatment for Caribbean Commonwealth Countries (CARIBCAN)

Canada provides a scheme of duty-free preferences for Caribbean Commonwealth countries referred to as CARIBCAN. Under certain circumstances, it may be necessary for the government to act quickly to withdraw such preferences when Canadian manufacturers are injured by imports as a result of the lower preferential rates, or alternatively, the government may wish to expand the country or product coverage for these preferential rates or waive certain rules of origin requirements to improve the benefits provided.

Withdrawal of CARIBCAN treatment as a result of a safeguard petition would restore necessary protection for Canadian industry. Changes to rules of origin or country coverage could provide some benefit to developing countries.

This initiative appeared in the 1991 Regulatory Plan as 172-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-16

Vessel Duty Removal/Reduction

The Customs Tariff provides authority for the Governor in Council, on the recommendation of the Minister of Finance, to reduce or remove the tariff on ships, floating structures and other waterborne craft. The authority is used to respond to requests from Canadian companies which demonstrate that the tariff on waterborne craft is inequitable or anomalous or where the government determines that it is prudent to take such action.

Reduction or removal of the tariff on these goods can help reduce the costs associated with acquiring vessels in Canada and thus, the cost of the operation of the transportation service they provide. Because such action could affect the tariff protection afforded Canadian shipbuilders, such action is only taken after carefully considering the costs and benefits of tariff reductions on the beneficiary and on the Canadian shipbuilding and ship repairing industries.

This initiative appeared in the 1991 Regulatory Plan as 173-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-17

Most-Favoured-Nation Tariff Treatment

Under certain circumstances, recommendations are made by the Minister of Finance to the Governor in Council to modify the tariff treatment provided for imports from certain countries. Orders of this nature are in response to obligations under a new trade agreement or to reflect a change in our trade relations with a particular country.

The modification of the tariff treatment extended to a particular country is usually made in response to international obligations.

This initiative appeared in the 1991 Regulatory Plan as 174-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-18

Handicraft Goods Order

The Customs Tariff provides duty-free entry for traditional or artistic handicraft goods originating in developing countries.

From time to time, recommendations are made by the Minister of Finance to the Governor in Council to expand or otherwise modify the list of handicraft items which are entitled to duty-free entry.

The Handicrafts Goods Order is part of Canada's international commitment to assist developing countries.

This initiative appeared in the 1991 Regulatory Plan as 175-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-19

Preferential Tariff Treatment for Certain Commonwealth Countries

Canada provides for a system of tariff preferences for certain Commonwealth countries. On occasion, it becomes necessary to either withdraw British Preferential Tariff (BPT) rates of duty largely to protect domestic manufacturers or to modify BPT treatment for certain goods usually in response to international trade agreements.

Withdrawal of BPT rates can result in increased protection for domestic industry. Expansion of BPT rates is usually extended following trade agreements which contain reciprocal benefits for Canadian trade.

This initiative appeared in the 1991 Regulatory Plan as 176-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-20

General Amending Orders

From time to time, amendments to various Regulations and Orders are required as a result of concerns raised by the Standing Joint Committee for Regulatory Scrutiny. The amendments address certain legal issues as well as technical problems with Orders.

Because the amendments are, for the most part, technical and not substantive in nature, no impact is expected.

This initiative appeared in the 1991 Regulatory Plan as 177-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-21

Remission of Duties

The authority to remit (forgive) the payment of duties has been delegated by Parliament to the Governor in Council. Remissions of duties are usually proposed only in exceptional circumstances where a genuine need for tariff relief has been clearly demonstrated. Most remissions of duties are recommended to rectify anomalies or inequities caused by the tariff structure in specific situations or to provide short-term assistance to particular Canadian manufacturers facing serious competitive or financial problems.

The remission authorities allow the government to respond quickly in specific situations where the application of general laws and Regulations are having unintended or undesirable results.

This initiative appeared in the 1991 Regulatory Plan as 178-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-22

"Snapback" Tariffs on Fresh Fruits and Vegetables

The Customs Tariff contains authority (flowing from Article 702 of the Canada-U.S. Free Trade Agreement) under which the Minister of Finance may, by Order, temporarily restore (for up to 180 days) tariffs on certain fresh fruits and vegetables imported from the U.S. for a 20-year period under depressed price conditions in order to give Canada's horticultural industry an opportunity to adjust to more open trading conditions. This "snapback" provision applies only if the average acreage under cultivation (exclusive of acreage converted from wine-grape cultivation) for that product is constant or declining. The temporary duties, together with any other customs duty, cannot exceed the most-favoured-nation rate of duty for the product in question.

The imposition of the temporary duties will result in the restoration of tariff protection for domestic producers of fruits and vegetables covered by the Order.

This initiative appeared in the 1991 Regulatory Plan as 179-FIN.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: P. Close, Director, Tariffs Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-6881

FIN-23

Remission of Anti-dumping Duties

The authority to remit the payment of anti-dumping duties has been delegated by Parliament to the Governor in Council. Requests for the remission of these duties are accepted only under exceptional circumstances and generally where the Canadian industry supports the remission or where there is no Canadian production.

The remission authorities allow the government to respond quickly in specific situations where there are exceptional circumstances in the application of general laws and Regulations.

This is a new initiative.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: T. Collins-Williams, Director, International Economic Relations Division, Department of Finance, Ottawa, Ontario, K1A 0G5. Tel. (613) 996-8650

FIN-24

Money Laundering

This regulatory initiative will complement Bill C-9, The Proceeds of Crime (money laundering) Act, which received royal assent on 21 June 1991. The object of the legislation and the forthcoming Regulations is to establish record-keeping requirements in the financial field, to facilitate the investigation and prosecution of money laundering cases.

Draft Regulations were published on 25 October 1990, when the record-keeping bill was first introduced in the House of Commons. It is anticipated the legislation will come into force on 1 October 1991, and that the Regulations will come into force early in the new year.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1991, *Canada Gazette*, Part I; Fourth Quarter, 1991, *Canada Gazette*, Part II

Contact: J.F. McCollum, Chief, Industry Analysis and Relations Section, Financial Institutions Division, Financial Sector Policy Branch, Department of Finance Canada, Ottawa, Ontario K1A 0G5. Tel (613) 992-8302

FIN-25

Tax on Investment Income of Life Insurers

On 18 June 1987, in the House of Commons, the Minister of Finance announced proposals for a broad reform of the tax system. As part of this reform, a tax on the investment income of life insurers, which had from 1969 to 1978 been subject to tax under Part XII of the Income Tax Act, was reintroduced. The structure of the proposed tax was set out in a general way in the supplementary information to the Notice of Ways and Means Motion tabled in the House of Commons on 16 December 1987. Further details concerning the proposed tax were made public by the Minister of Finance on 2 March 1988. The changes to the Income Tax Act implementing the proposed tax (new Part XII.3 of the Act) were embodied in Bill C-139 which received royal assent 13 September 1988. Draft amendments to the Income Tax Regulations relating to the provisions of new Part XII.3 of the Act were released by the Minister on 7 March 1990.

This initiative appeared in the 1991 Regulatory Plan as 180-FIN.

Expected Date of Publication: These Regulations, which are to come into force at announced dates, were released by the Minister of Finance on 7 March 1990 and were published in Finance Department Press Release 90-031, 7 March 1990. First Quarter, 1992, *Canada Gazette*, Part II

Contact: Carol Muirhead, Chief, Resources, Trusts, Insurance and Personal, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-3763

FIN-26

GST Related Regulations

Part IX of the Excise Tax Act, which contains the legislative provisions enacting the Goods and Services Tax (GST), was assented to on 17 December 1990 and the tax was implemented on 1 January 1991. While the framework for this tax is set out in the Act, details necessary to the application of the tax are contained in Regulations made under the Act.

The government is committed to refining the operation of the GST as it draws on the practical experience of seeing it at work in the marketplace. A number of refinements have already been announced, some of which will require changes to the Regulations. This is an ongoing process and future regulatory changes, including possible new Regulations under existing authority in the Act, can be expected from time to time following consultation with the private and public sector and in response to issues which are brought to the government's attention.

This is a new initiative.

Expected Date of Publication: Throughout the year, as required

Contact: Marlene Starrs, Tax Policy Officer, Sales Tax Division, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4230

FIN-27

Income Tax Regulations Consequential on Bill C-18

Bill C-18, introduced in the House of Commons on 30 May 1991, implements minor technical changes to the Income Tax Act, most of which were first released in draft form on 13 July 1990, along with the income tax amendments announced in the 1990 and 1991 budgets and a number of income tax measures previously announced in press releases. Consequential amendments will be required to the Income Tax Regulations, including amendments relating to available-for-use rules, registered national arts organizations, deductions in respect of prescribed northern zones and prescribed intermediate zones, prescribed alterations with respect to deductions for persons with disabilities, advertising deductions, inventory calculations, foreign property, the tax on large corporations, the tax on capital of financial institutions, and foreign ore processing. These changes will be effective from the dates announced in the amending legislation.

This initiative appeared in the 1991 Regulatory Plan as 184-FIN.

Expected Date of Publication: First and Second Quarters, 1991, *Canada Gazette*, Part II

Contact: Howard Krakower, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-3039

FIN-28

Income Tax Regulations Relating to Farmers' and Fishermen's Insurers

Paragraph 149(1)(t) of the Income Tax Act provides an exemption from Part I tax to insurers of farm property, property used in fishing or residences of farmers or fishermen. The exemption is limited by subsections 149(4.1) to (4.3) of the Act. Further, Paragraph 149(1)(t) imposes certain requirements relating to gross premium income that must be met by the insurer and, unless the insurer is a prescribed insurer, certain other insurers including insurers related to the insurer. It is intended to prescribe certain insurers for the purposes of this paragraph. Where the insurer is a prescribed insurer, only the gross premium income of that insurer will be considered in determining whether that insurer will be eligible for the Part I exemption.

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Tommy Ellis, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4853

FIN-29

Part XIV of the Income Tax Regulations

Subsection 1404(2) of the Income Tax Regulations defines "acquisition costs" of an insurance policy and "net premium for the policy." The acquisition costs of a policy reduce the net premium for the policy and consequently reduce the unearned premium reserve that may be claimed by the insurer. Acquisition costs of a policy are generally deemed to be 20 per cent of the premium paid for the policy, but for certain types of policies set out in Paragraph (a) of the definition, the acquisition costs are deemed to be only five per cent of the premium paid. It is intended to expand Paragraph (a) of the definition "acquisition costs" to include insurance policies sold only to members of a caisse populaire or credit union by a corporation formed exclusively for the purpose of providing insurance to such members.

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Tommy Ellis, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4853

FIN-30

Income Tax Regulations – Prescribed Obligations for the Purposes of Part XIII Tax on Interest

Paragraph 212(1)(b) of the Income Tax Act imposes a 25 per cent withholding tax on interest paid or credited to persons not resident in Canada. Exceptions to this requirement are also listed therein. Excluded from the listed exceptions are certain types of contingent interest payments, as set out in the closing words of Paragraph 212(1)(b), payable on obligations other than prescribed obligations. For the purposes of this paragraph, it is intended to prescribe obligations issued by a government or Crown corporation. The interest on these obligations must be contingent only on the Consumer Price Index as published by Statistics Canada. Interest payable to non-resident persons under such obligations will therefore not be subject to the Part XIII withholding tax.

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Tommy Ellis, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4853

FIN-31

Part LXX of the Income Tax Regulations

Part LXX of the Income Tax Regulations prescribes certain types of debt obligations for the purposes of Subsection 12(9) of the Income Tax Act and deems certain amounts to accrue as interest income on those obligations. The Department of Finance is currently reviewing the tax treatment of interest generally, both as an inclusion on the income side and as a deduction on the expense side. It is likely that substantial changes will be made to Part LXX of the Regulations when this review has been completed.

This is a new initiative.

Expected Date of Publication: The Regulations will first be released in draft form to allow for consultation and suggestions for change. Publication in *Canada Gazette*, Part II will probably be in the Third or Fourth Quarter of 1992

Contact: Tommy Ellis, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4853

FIN-32

Parts LXXX and LXXXI of the Income Tax Regulations

Parts LXXX and LXXXI of the Income Tax Regulations were promulgated in December 1990 for the purposes of calculating the doubtful debt reserve of financial institutions and other reserves of insurance companies. A number of technical changes to these Regulations are required for clarification purposes. Most of the changes will involve defining certain terms used in the Regulations, such as "relevant authority," "designated countries," "provisionable assets," "general provisions" and "specific provisions." Although not currently defined in the Income Tax Act or Regulations, the meaning of these terms is understood in the industry by those affected by these Regulations.

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Tommy Ellis, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4853

FIN-33

Parts XIV and XXIV of the Income Tax Regulations

Parts XIV and XXIV of the Income Tax Regulations provide rules relating to the calculation of policy reserves and investment income of insurers, respectively. The Department of Finance is reviewing the taxation of the insurance industry generally. It is likely that amendments to parts XIV and XXIV of the Regulations will be required as a result of policies developed in this review.

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Tommy Ellis, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4853

FIN-34

Income Tax Regulation Relating to Branch Tax

Part XIV of the Act imposes a special tax, generally referred to as the "branch tax," at a rate of 25 per cent on the after-tax earnings of a Canadian branch of a non-resident corporation, subject to an allowance for investment in property in Canada. Subsection 808(2) of the Regulations enumerates the property to be taken into account in computing the investment allowance ("qualified investment in property in Canada") of a non-Canadian corporation that carries on business in Canada. Qualified investment in property in Canada includes the corporation's "allowable liquid assets" that are used in the Canadian business. However, an amendment to the definition of "allowable liquid assets" is needed to clarify that funds on deposit with a Canadian bank that were not generated by the Canadian branch operation or intended for the use of the Canadian branch are not included in the corporation's allowable liquid assets.

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: E. Emilio Sánchez, Tax Policy Officer, Tax Policy and Legislation Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4859

FIN-35

Additions to Subsection 5907(11) of the Income Tax Regulations

Section 95 of the Act defines a number of terms and provides certain rules that apply for the purposes of Subdivision (i) of Division B in Part I of the Act, which relates to shareholders of non-resident corporations. Section 113 of the Act permits a resident corporation to deduct prescribed amounts in respect of dividends received out of the exempt, taxable and pre-acquisition surplus of a foreign affiliate. Section 5907 provides rules for the calculation of amounts described in these two sections of the Act. Essentially, dividend income derived from active business earned in Canada or a country listed under Subsection 5907(11) by a foreign affiliate resident in a listed country is exempt from Canadian tax when received by a Canadian resident corporation. In light of the fact that Canada's tax treaties with Papua New Guinea, Poland and Luxembourg have entered into force, these countries should be added to the countries listed under Subsection 5907(11).

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: E. Emilio Sánchez, Tax Policy Officer, Tax Policy and Legislation Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4859

FIN-36

Employee Stock Options – Prescribed Shares

Paragraph 110(1)(d) of the Act provides a deduction in computing an employee's taxable income in respect of the benefit realized on the exercise of certain employee stock options. This deduction is equal to one-quarter of the amount (one-third in 1988 and 1989) of the benefit considered under Subsection 7(1) of the Act to have been received by the employee in respect of the share. Section 6204 of the Regulations sets out the conditions that a share must meet in order for it to be considered to be a prescribed share and qualify for the deduction provided under Paragraph 110(1)(d). Paragraph 6204(1)(b) requires that the corporation (or a specified person in relation to the corporation) cannot reasonably be expected to acquire or cancel the share or reduce the paid-up capital of the corporation in respect of the share within two years of its sale or issue.

Where, during the takeover bid, employees exercise their options to buy shares and then sell them to the bidder, such shares do not qualify as prescribed shares because the bidder on a takeover bid is considered to be a specified person who can reasonably be expected to acquire the shares. These share purchases need to be accommodated under the Regulations so that the share will not be prevented from qualifying as prescribed shares.

This change may apply to all prescribed share provisions.

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: E. Emilio Sánchez, Tax Policy Officer, Tax Policy and Legislation Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4859

FIN-37

Income Tax Prescribed Share Provisions

Subsections 110.6(8) and (9) of the Act are anti-avoidance rules to prevent the conversion of dividend income into exempt capital gains of individuals. The concern is that corporations may issue shares having attributes designed to facilitate the realization of the yield by way of a capital gain rather than by way of dividends. This rule will not apply, however, in the case of prescribed shares. Section 6205 of the Regulations sets out the conditions that a share must meet in order for it to be considered to be a prescribed share and avoid the application of subsections 110.6(8) and (9). Section 6205 does not currently permit employees to redeem a share. An amendment to the Regulations is required so that shares will not be prevented from qualifying as prescribed shares where the shares carry a redemption feature allowing an employee share redemption for an amount not exceeding fair market value at the time of the redemption and the purpose of the redemption feature is to provide a market for the share.

This change may apply to all prescribed share provisions.

This is a new initiative.

Expected Date of Publication: First or Second Quarter, 1992, *Canada Gazette*, Part II

Contact: E. Emilio Sánchez, Tax Policy Officer, Tax Policy and Legislation Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4859

FIN-38

Contributions to Sinking Fund

Section 1400 of the Income Tax Regulations may have to be amended to give the Mortgage Investment Corporation of Canada a deduction for amounts contributed to what is in essence a sinking fund.

This is a new initiative.

Expected Date of Publication: First or Second Quarter 1992, *Canada Gazette*, Part II

Contact: Davine Roach, Tax Policy Officer, Capital Gains and Corporate Distributions, Tax Policy Branch, 140 O'Connor Street, Ottawa, Ontario K1A 0G5. Tel. (613) 992-4852

FIN-39

Income Tax Regulations Relating to Pensions

On 24 May 1991, the Minister of Finance announced details of proposals affecting the application of the new registered retirement savings plan limits to taxpayers who participate in certain unregistered pension plans. These proposals will require a number of amendments to the Income Tax Regulations. As well, other amendments to those Regulations may be required to refine the operation of the recently enacted new rules governing tax assisted saving for retirement.

This is a new initiative.

Expected Date of Publication: Throughout the year, as required, *Canada Gazette*, Part II

Contact: W.R. Holmes, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-4390

FIN-40

Budget Regulations

Any budgetary announcements made by the Minister of Finance before the end of 1992 may, as a consequence, require new Regulations or amendments to Regulations such as the Income Tax Regulations. The budget documents will provide details of any impact.

This is a new initiative.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: Howard Krakower, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-3039

FIN-41

Other Income Tax Regulations

It is expected that income tax amendments of a technical nature will be introduced in Parliament in 1992. The passage of these amendments may require consequential amendments to the Income Tax Regulations. As well, it may be necessary to make various amendments to the Regulations of a technical or housekeeping nature or for the purposes of clarification. Other amendments to the Regulations may be required to address problems that may develop, to implement tax policy changes including changes announced by press release, to respond to court decisions, to reflect or respond to statutory changes including those made as a result of statute revision or to improve the wording, organization or numbering of the Regulations.

This is a new initiative.

Expected Date of Publication: As required in *Canada Gazette*, Part II

Contact: Howard Krakower, Tax Policy Officer, Tax Policy Branch, Department of Finance, 140 O'Connor Street, Ottawa, Ontario, K1A 0G5. Tel. (613) 992-3039

Department of Justice Canada

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General Information

Roles and Responsibilities

The Department of Justice Canada was established by an Act of Parliament in 1868. Its roles and responsibilities reflect the fact that under the Department of Justice Act the Minister of Justice is also the Attorney General of Canada.

The Attorney General of Canada advises the government "on all matters of law." Consequently, the Department of Justice provides legal services to all government departments including the provision of legal advice, the preparation of legal documents and the drafting of legislation. (Some specialized legal services are provided by other organizations such as the Legal Affairs Bureau of the Department of External Affairs, the Judge Advocate General and the Bureau of Pensions Advocates under the Minister of Veterans Affairs.)

The Attorney General of Canada regulates and conducts litigation for or against government departments, departmental corporations and Crown corporations that are agents of Her Majesty in right of Canada.

The Minister of Justice is the official legal advisor of the Governor General and the legal member of the Queen's Privy Council for Canada and must see that the administration of public affairs is in accordance with the law. The department, on behalf of the Minister, examines all bills introduced by ministers in the House of Commons to ascertain whether their provisions are consistent with the Canadian Bill of Rights or the Canadian Charter of Rights and Freedoms. The Privy Council Office Section of the department, on behalf of the Clerk of the Privy Council and the Deputy Minister of Justice, examines most proposed Regulations under the Statutory Instruments Act according to criteria set out in that Act.

The Minister of Justice superintends all matters connected with the administration of justice in Canada that are within federal jurisdiction and is also responsible for carrying out other duties assigned by the Governor in Council. Accordingly, the Department of Justice plans, develops and implements government policies in such areas as criminal law, family law, extradition and rendition, access to information and privacy and human rights.

The Minister of Justice is also responsible for the Statute Revision Commission, the members of which are employees of the Department of Justice. The commission prepared the Revised Statutes of Canada, 1985, and ensures their updating and the updating of Regulations of public and general interest.

Legislative Mandate

The Minister of Justice is responsible for all or part of the following legislation:

- Access to Information Act
- Annulment of Marriages (Ontario) Act
- Bills of Lading Act
- Canada Evidence Act
- Canada Prize Act
- Canada-United Kingdom Civil and Commercial Judgments Convention Act
- Canadian Bill of Rights
- Canadian Human Rights Act
- Canadian Laws Offshore Application Act
- Commercial Arbitration Act
- Criminal Code
- Crown Liability Act (The title will be changed to the Crown Liability Act when the 1990 amendments come into force)
- Department of Justice Act
- Divorce Act
- Escheats Act

- Expropriation Act
- Extradition Act
- Family Orders and Agreements Enforcement Assistance Act
- Federal Court Act
- Foreign Enlistment Act
- Foreign Extraterritorial Measures Act
- Fugitive Offenders Act
- Garnishment, Attachment and Pension Diversion Act
- Identification of Criminals Act
- Interpretation Act
- Judges Act
- Law Reform Commission Act
- Marriage Act
- Mutual Legal Assistance in Criminal Matters Act
- Narcotic Control Act
- Official Languages Act
- Official Secrets Act
- Permanent Court of International Justice Act
- Postal Services Interruption Relief Act
- Privacy Act
- Revised Statutes of Canada, 1985 Act
- Security Offences Act
- State Immunity Act
- Statute Revision Act
- Statutory Instruments Act
- Supreme Court Act
- Tax Court of Canada Act
- Tobacco Restraint Act
- United Nations Foreign Arbitral Awards Convention Act
- Young Offenders Act

Initiatives

JUS-1

Access to Information and Privacy Acts: Extending Coverage

The coverage of either or both of the Access to Information Act and the Privacy Act could be extended to bodies not yet subject to these Acts. Newly created government institutions could also be brought under either or both Acts. Extending the coverage of the Access to Information Act would enhance openness and accountability because the information held by the entities brought under the Act would be subject to the right of access which the Act confers. Extending the Privacy Act would enhance the privacy of individuals because it would extend the provisions of the Act concerning the collection, retention, use, disclosure and disposal of personal information to the entities brought under the Act. It would also permit individuals to exercise the right conferred by the Act with respect to personal information held by the entities and to request that this information be corrected.

This recurring initiative appeared in the 1991 Regulatory Plan as 188-JUS.

Expected Date of Publication: As necessary

Contact: Lloyd Younger, Head, Information Law and Privacy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4624

JUS-2

Extending the Privacy Act to Crown Corporations

This initiative will bring wholly owned Crown corporations and their wholly owned subsidiaries under the Privacy Act. The extension of the Act would enhance the privacy of individuals by according them the provisions of the Act concerning the collection, retention, use, disclosure and disposal of personal information to these entities. It would also permit individuals to exercise the right conferred by the Act with respect to personal information about them held by the entities and to request that this information be corrected.

This initiative appeared in the 1991 Regulatory Plan as 189-JUS.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Lloyd Younger, Head, Information Law and Privacy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4624

JUS-3

Statutes of Canada, Loose-leaf Edition Distribution Order

The proposed Order will provide for the distribution, without charge, of pages and binders to be used for the loose-leaf edition of the consolidation of public general Statutes of Canada published pursuant to Section 9 of the Statute Revision Act, to persons and classes of persons to whom the loose-leaf edition of the Revised Statutes of Canada, 1985 was so distributed. The Order will be submitted to the Governor in Council as soon as the enabling authority, included in the 1991 Proposals for Miscellaneous Statute Law Amendment Act, is enacted.

This initiative appeared in the 1991 Regulatory Plan as 195-JUS. It will be carried over until the enactment of the enabling authority.

Expected Date of Publication: Publication is dependent on the enactment of the enabling authority

Contact: Yvon Besner, Senior Counsel and Secretary, Statute Revision Commission, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-0056

JUS-4

Statutory Instruments Regulations

In previous years, various departments have requested amendments to these Regulations to provide for the publication of certain statutory instruments and other documents in the *Canada Gazette*; and for the exemption of certain Regulations or classes of Regulations, from the provisions of the Statutory Instruments Act. The exemptions would involve the registration and publication of Regulations as well as the inspection and procurement of copies of Regulations or other statutory instruments. These Regulations are expected to be amended as a result of similar requests.

A class of Regulations may be exempted from registration and publication where the registration is not practical due to the number of Regulations of that class. Regulations or a class of Regulations may be exempted from publication if the limited number of people affected or likely to be affected have been given notice; and where the publication could reasonably be expected to be injurious to the conduct of federal-provincial or international affairs, Canada's allies or associates, the defence of Canada or the detection, prevention or suppression of subversive or hostile activities.

The inspection and copy requirement for certain Regulations, classes of Regulations, certain statutory instruments or classes of statutory instruments may be precluded where it has been exempted from publication because it relates to international affairs, defence or subversive or hostile activities. In addition, certain statutory instruments or classes of statutory instruments, other than a Regulation, may be precluded where the inspection or making of copies would result in injustice or undue hardship to persons or bodies or in serious and unwarranted detriment to such persons or bodies in the conduct of their affairs.

This initiative appeared in the 1991 Regulatory Plan as 193-JUS.

Expected Date of Publication: Since these amendments are made at the request of other departments, it is impossible to predict the dates of prepublication and publication. As required

Contact: Alain Prevost, Senior Counsel, Privy Council Office Section, Department of Justice, Room 624, 222 Queen Street, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-0094

JUS-5

Restricted and Prohibited Weapons Orders

Subsection 84(1) of the Criminal Code contains powers to declare non-sporting weapons to be either restricted or prohibited weapons by Order-in-Council. The proposed Orders would be used to restrict access to military or para-military type firearms. The Canadian Advisory Council on Firearms has been asked to develop criteria for identifying such firearms for use by the Minister of Justice in developing proposed Orders for submission to the Governor in Council.

Orders-in-Council will also be proposed to prohibit large capacity cartridge magazines and parts, components, accessories, and ammunition for weapons. The Minister has indicated that magazines for handguns containing more than 10 shots, and for centrefire, semi-automatic rifles and shotguns containing more than five shots will be declared prohibited weapons.

This initiative appeared in the 1991 Regulatory Plan as 194-JUS.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Michael Zigayer or Chris Ram, Criminal Law Policy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4736

JUS-6

Genuine Gun Collector

Subsection 84(1) of the Criminal Code is amended by Bill C-17 to create a definition of this term which contains powers to enact Regulations respecting the inspection of premises, knowledge of collected firearms, secure storage, and record keeping. Regulations specific to gun collectors will be made with respect to certain types of firearms or collections to reduce the risk to the public created by the possession and potential theft of high-firepower firearms. These Regulations will supplement the Regulations respecting safe handling and storage and related matters affecting all firearms owners, which will be made pursuant to an amendment to Section 116.

This initiative appeared in the 1991 Regulatory Plan as 194-JUS.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Michael Zigayer or Chris Ram, Criminal Law Policy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4736

JUS-7

Storage, Display, Handling, and Transportation of Firearms

The existing power contained in Paragraph 116(g) of the Criminal Code, which applies only to the owners of collections containing restricted weapons, will be expanded by Bill C-17 to become applicable to everyone in possession of a firearm. Guidelines to assist in development of storage Regulations will be developed by the Canadian Advisory Council on Firearms. The statutory amendments create a new offence of failing to meet the standards set by Regulation (Subsection 86(3)). These Regulations will be the subject of consultations with provinces and territories, law enforcement agencies and interest groups. Appropriate delays in proclamation are planned to permit and encourage compliance.

This initiative appeared in the 1991 Regulatory Plan as 194-JUS.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Michael Zigayer or Chris Ram, Criminal Law Policy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4736

JUS-8

Regulation Setting the Firearms Acquisition Certificate (FAC) Fee

Bill C-17 amends Paragraph 116(e) of the Criminal Code (116(1)(e) as amended) to add the power to set FAC application fees by Regulation to the existing power to set fees for business permits. The power to set and adjust FAC fees is being moved from the Criminal Code to Regulations to allow future adjustments as necessary for maintaining cost recovery.

This initiative appeared in the 1991 Regulatory Plan as 194-JUS.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Michael Zigayer or Chris Ram, Criminal Law Policy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4736

JUS-9

Regulation Establishing a Class of Persons Who May Act as References for the Purposes of Application for an FAC

Bill C-17 will amend Subsection 106(8) of the Criminal Code to require FAC applicants to provide the names of two references who have known him or her for three years, and who are members of a class of persons prescribed by Regulation as eligible to act as references. This change is intended to enable the police to confirm the information on the FAC application form. This Regulation will be developed in conjunction with provincial authorities and the RCMP, and will take into account the concerns of special circumstances, such as those of aboriginal and remote communities, and sustenance hunters.

This initiative appeared in the 1991 Regulatory Plan as 194-JUS.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Michael Zigayer or Chris Ram, Criminal Law Policy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4736

JUS-10

Regulation Establishing a Class of Persons Other than Individuals to Which an FAC May Be Issued

Bill C-17 replaces the existing Section 107 of the Criminal Code with a new section creating an FAC which may be issued to corporate persons who belong to a class of person prescribed by Regulation. A Regulation will be developed which will permit corporations whose services involve the use of firearms to obtain a single corporate FAC to cover acquisitions (e.g., movie armourers and armoured car services). This will allow them to acquire firearms for a specified period based on a single security screening review, as is presently the case for individuals. This Regulation will be developed in consultation with provincial and territorial officials, the RCMP, and affected commercial organizations.

This initiative appeared in the 1991 Regulatory Plan as 194-JUS.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Michael Zigayer or Chris Ram, Criminal Law Policy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4736

JUS-11

Regulation Creating Criteria for Certification of Competency Without the Statutory Course or Test Prior to the Issuance of an FAC

Bill C-17 amends Section 106(2)(c) of the Criminal Code by adding a new Subparagraph 106(2)(c)(ii), which creates a discretionary power for a local firearms officer to certify the competency of an FAC applicant without the firearms safety course or test otherwise required by the Statute. Certification requires that the officer be satisfied by alternative evidence that the applicant meets criteria set by Regulation for competence in the safe handling and use of firearms, and the law relating to firearms ownership. This Regulation will be developed pursuant to the authority in Subparagraph 106(2)(c)(ii) and Paragraph 116(1)(i) (as amended) in conjunction with provincial and territorial authorities and RCMP.

This initiative appeared in the 1991 Regulatory Plan as 194-JUS.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Michael Zigayer or Chris Ram, Criminal Law Policy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4736

JUS-12

Regulation Permitting a Corporate Restricted-Weapons Certificate

Bill C-17 creates a new Section 109.1 of the Criminal Code authorizing the issuance of restricted-weapon registration certificates to corporate persons who are members of a class of persons prescribed by Regulation. This means that individual restricted firearms can be owned and registered by the corporation, rather than the employees who carry them. This, in combination with the new corporate FAC, allows companies employing armed security transport personnel to own and register the firearms involved.

Individual employees would still be required to obtain their own FACs and carriage permits, ensuring that the necessary screening is done.

This initiative appeared in the 1991 Regulatory Plan as 194-JUS.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Michael Zigayer or Chris Ram, Criminal Law Policy Section, Department of Justice, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4736

JUS-13

Approved Breath Analysis Instruments Order, Approved Screening Devices Order, Approved Blood Sample Container Order

These Orders are required to approve various devices and instruments designed to ascertain either the presence or the concentration of alcohol in the blood of a person as well as to approve various containers designed to receive a blood sample from a person for analysis. These devices, instruments and containers must be approved by the Attorney General of Canada before they may be used in the manner described in the Criminal Code for the purposes of detecting impairment.

Approval of new devices, instruments or containers will permit their use by police forces in investigations of suspected cases of impaired driving, boating, flying or operating railway equipment. Approval of new devices will increase the purchase options available to police authorities for the purchase and use of new equipment.

This initiative appeared in the 1991 Regulatory Plan as 190-JUS.

Expected Date of Publication: Publication is dependent on the ongoing process of approvals which in turn is dependent on the existence of applications by manufacturers who are seeking approval and on a subsequent evaluation of the application by the federal government

Contact: Catherine Kane, Legal Counsel, Criminal Law Policy Section, Department of Justice, Room 733, 239 Wellington Street, Ottawa, Ontario, K1A 0H8. Tel. (613) 957-4733

JUS-14

Information Banks

The purpose of this regulatory initiative is to change the description of the Information Banks listed in Section 3 of the existing Regulations under the Family Orders and Agreements Enforcement Assistance Act to reflect the current description of the data banks at Health and Welfare Canada.

These Regulations will not add or delete information banks.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Ken Duford, Manager, Family Law Assistance Systems Section, Department of Justice, P.O. Box 2730, Station D, Ottawa, Ontario, K1P 5W7. Tel. (613) 990-7008

JUS-15

Forms for Interception

This regulatory initiative is intended to revise the application form in Schedule I (Section 5) of the existing Regulations to ensure compatibility with the automated systems used by the provincial and territorial authorities.

The changes are minor in nature and the application form will continue to reflect the requirements of Part II of the Family Orders and Agreements Enforcement Assistance Act.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Ken Duford, Manager, Family Law Assistance Systems Section, Department of Justice, P.O. Box 2730, Station D, Ottawa, Ontario, K1P 5W7. Tel. (613) 990-7008

JUS-16

Forms for Tracing

This regulatory initiative is intended to revise the application form in Schedule I (Section 4) of the existing Regulations to ensure compatibility with the automated system used by provincial and territorial authorities.

The changes are minor in nature and the application form will continue to reflect the requirements of Part I of the Family Orders and Agreements Enforcement Assistance Act.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Ken Duford, Manager, Family Law Assistance Systems Section, Department of Justice, P.O. Box 2730, Station D, Ottawa, Ontario, K1P 5W7. Tel. (613) 990-7008

JUS-17

The Family Orders and Agreements Enforcement Assistance Act Fee

These Regulations will further implement the provisions of Part II of the Family Orders and Agreements Enforcement Assistance Act proclaimed on 2 May 1988, by setting in place a fee to be charged to support debtors for whom a garnishment summons is served to the department.

The fee (which is yet to be determined) will be collected from the holdback portion of the garnishable moneys after payment to the creditor.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ken Duford, Manager, Family Law Assistance Systems Section, Department of Justice, P.O. 2730, Station D, Ottawa, Ontario, K1P 5W7. Tel. (613) 990-7008

Department of the Secretary of State of Canada

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General Information

Roles and Responsibilities

The Department of the Secretary of State seeks to foster a sense of belonging to Canada, to assist Canadians to understand and celebrate their identity, and to increase opportunities for the enjoyment of Canada's educational, social, political and cultural resources. The department seeks to accomplish this goal by providing financial support to provincial and territorial governments for official languages in education, post-secondary education and financial assistance to post-secondary students, offering financial and technical assistance to individuals, groups and private institutions and facilitating and encouraging communication in both official languages.

The department supports the federal government's official languages policy by providing translation, interpretation, terminology and language advisory services; financial and technical assistance to official language communities; and contributions for minority official language education and second official language instruction. In the area of official languages, the department's interests are shared, and to a considerable extent supported, by the Public Service Commission, the Treasury Board Secretariat, the Office of the Commissioner of Official Languages, provincial and territorial governments, and private institutions and organizations active in such areas as post-secondary education, communication and culture.

In the field of education, the department is responsible for cash payments to provinces under the Post-Secondary Education Financing Program and for advising on policy matters in this area. The department is the focal point federally for the development of policies and the delivery of programs respecting student financial assistance at the post-secondary level. The department is also responsible for contributions to the provinces, territories and Council of Ministers of Education to promote minority-language education and second-language instruction. To ensure access by Canadians to post-secondary education, the department provides financial assistance to qualified full-time and part-time post-secondary students in the form of guaranteed loans and interest subsidies. In co-operation with the Department of External Affairs, the Department of the Secretary of State of Canada contributes to the effective participation of Canada in international fora and activities.

Legislative Mandate

The Secretary of State is wholly or partly responsible for administering:

- An Act to provide for the recognition of the Beaver (castor canadensis) as a symbol of the sovereignty of Canada
- Corrupt Practices Inquiries Act
- Disfranchising Act
- Dominion Controverted Elections Act
- Federal-Provincial Fiscal Arrangements and Federal Post-Secondary Education and Health Contributions Act (re Post-Secondary Education Financing Program)
- Financial Administration Act (Secretary of State, appropriate Minister with respect to the Public Service Commission and the Canadian Centre for Management Development)
- Holidays Act
- Laurier House Act
- An Act to Incorporate the Jules and Paul-Émile Léger Foundation
- National Anthem Act
- National Flag of Canada Manufacturing Standards Act
- Official Languages Act (Part VII, Advancement of English and French)
- Public Service Employment Act
- Social Sciences and Humanities Research Council Act
- Department of State Act
- Canada Student Loans Act and Regulations
- Translation Bureau Act and Regulations

SS-1

Canada Student Loans Program: Default Reduction Measures

Changes to the Canada Student Loans Program will be proposed further to the 15 December 1989 announcement by the President of the Treasury Board, of a number of measures designed to reduce government spending in many areas. These changes deal with the development of default deterrence measures.

These changes will amend the Canada Student Loans Regulations to discourage borrowers from allowing their loan accounts to become delinquent by charging delinquency fees to defaulters, ensuring that student loans are reported to a credit bureau and denying further assistance to defaulters unless certain stringent requirements are met. They will also ensure that lenders treat the administration and collection of Canada Student Loans with the same degree of diligence they now use for other loans, specify additional steps to be taken by lenders to help prevent defaults from occurring, and make other consequential changes.

As a result of these Regulations, the numbers of borrowers who default on their student loans will be substantially reduced.

This initiative appeared in the 1991 Regulatory Plan as 196-SS.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Laurent Marcoux, Director, Policy and Programs, Student Assistance Branch, Department of the Secretary of State, 15 Eddy Street, Hull, Quebec, K1A 0M5

SS-2

Changes in Canada Student Loans Program

As the post-secondary education environment has changed dramatically since 1964 while the Canada Student Loans Act has not been fundamentally altered, the Canada Student Loans Program is being comprehensively re-examined with a view to making substantial improvements. Changes may include amendments to the Canada Student Loans Act, to Regulations and other measures to clarify the assessment of financial need and ensure appropriate targeting of assistance, place greater emphasis on educational results, increase control over costs, and enhance assistance to needy students.

Any changes would likely affect post-secondary students, their parents, lenders, post-secondary educational institutions, and provincial student aid activities. Proposed changes are being discussed with representatives of all interested parties, particularly through the National Advisory Group on Student Assistance and the Intergovernmental Consultative Committee on Student Financial Assistance.

This item appeared in the 1991 Regulatory Plan as 197-SS.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter 1992, *Canada Gazette*, Part II

Contact: Laurent Marcoux, Director, Policy and Programs, Student Assistance Branch, Department of the Secretary of State, 15 Eddy Street, Hull, Quebec, K1A 0M5

SS-3

Canada Student Loans: Interest on Loans to Part-time Students

An amendment to Section 12.1 of the Canada Student Loans Regulations will be made to ensure that the rate of interest to be paid by part-time students is the same as that paid by full- time students. The latter is set on 1 August each year by the Minister, and the rate on loans to part-time students will be amended correspondingly as soon as possible after that date.

This is a recurring item. It appeared in the 1991 Regulatory Plan as 198-SS.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Laurent Marcoux, Director, Policy and Programs, Student Assistance Branch, Department of the Secretary of State, 15 Eddy Street, Hull, Quebec, K1A 0M5

Emergency Preparedness Canada

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General Information

Roles and Responsibilities

The Emergency Preparedness Act of 27 April 1988 established Emergency Preparedness Canada (EPC) as an independent branch. The Act provides a statutory basis for federal emergency planning, which had been carried out under various ad hoc Cabinet authorities and the Emergency Planning Order of 1981. This Order was revoked when the Act was introduced in Parliament.

Under the Emergency Preparedness Act, EPC is presided over by a Minister of the Crown designated by the Governor in Council (Cabinet) and operates under the direction of an Executive Director appointed by the Governor in Council. The Minister, who is currently also the Minister of National Defence, submits an annual report to Parliament on the operation of the Act.

The Act establishes the emergency planning responsibilities of federal ministers and authorizes the Governor in Council to make Orders and Regulations relating to federal civil emergency preparedness, the use of federal civil resources in response to emergencies and the provision of assistance to provinces for provincial emergencies.

The purpose of EPC is to advance civil preparedness in Canada for all types of emergencies by facilitating and co-ordinating, at the federal level and in co-operation with provincial and foreign governments and international organizations, the development and implementation of civil emergency plans. EPC develops policies and programs related to civil emergency preparedness, supports provincial and local initiatives, provides education and training and establishes arrangements for ensuring the continuity of government operations in emergencies and for consulting with provincial authorities on declarations of emergencies under the Emergencies Act. It also monitors actual or potential civil emergencies and reports on necessary response measures, co-ordinates and supports the implementation of civil emergency plans by government institutions and the provision of assistance to provinces in provincial emergencies, and carries out other functions in relation to civil preparedness for emergencies as specified by the Governor in Council.

The mandate of EPC to advance civil preparedness for emergencies includes the four categories of national emergency (public welfare, public order, international and war) established by the Emergencies Act, which was given royal assent on 21 July 1988. This statute replaced the War Measures Act and allows the federal government to provide for the safety and security of Canadians during national emergencies in a manner consistent with parliamentary review, provincial consultation, the Canadian Charter of Rights and Freedoms and the 1967 United Nations Covenant on Civil and Political Rights.

Although EPC's status as a separate agency provides a visible focus for the federal government's emergency preparedness policies and programs, the responsibilities of individual ministers and government institutions for emergency preparedness planning and response remain within their own responsibility. The majority of emergency planning resources continue to be allocated directly to program departments.

Legislative Mandate

The statutory framework in which EPC functions includes:

- Emergency Preparedness Act
- Emergencies Act

Taken together, these measures provide a new and fully safeguarded basis for emergency planning and preparedness in Canada.

Initiatives

EPC-1

Orders-in-Council Pursuant to Paragraphs 9(c) and (d), Emergency Preparedness Act

These new Orders will be promulgated as required for provincial emergencies when provinces request federal assistance. The Emergency Preparedness Act requires that an Order or Regulation be made to declare such an emergency to be of concern to the federal government and to authorize the provision of financial assistance. Such assistance, when authorized, will be provided in accordance with arrangements established by the Cabinet in 1970 (Disaster Financial Assistance arrangements) and subject to the approval of the Treasury Board.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 201-EPC.

Expected Date of Publication: Throughout the year, as required

Contact: H.B. Shaffer, Q.C., Senior Counsel, Emergency Preparedness Canada, 122 Bank Street, 2nd Floor, Ottawa, Ontario KIA 0W6. Tel. (613) 991-7714

EPC-2

Civil Emergency Preparedness Management Order

This Order, made pursuant to paragraphs 9(a) and (b) of the Emergency Preparedness Act, is being developed in consultation with all federal ministers whose departments are concerned. It will address the development of civil emergency plans, with respect to both civil emergencies generally and national emergencies as defined in the Emergencies Act.

The initiative appeared in the 1991 Regulatory Plan as 203-EPC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: H.B. Shaffer, Q.C., Senior Counsel, Emergency Preparedness Canada, 122 Bank Street, 2nd Floor, Ottawa, Ontario, K1A 0W6. Tel. (613) 991-7714

Employment and Immigration Canada

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General Information

Roles and Responsibilities

The passage of Bill C-27, the Employment and Immigration Reorganization Act, in 1977, created the Canada Employment and Immigration Commission by integrating the Unemployment Insurance Commission and the Department of Manpower and Immigration. The legislation also created the Department of Employment and Immigration which provides services to the commission and the Minister. The commission and the department together are titled Employment and Immigration Canada (EIC).

The objective of the employment and insurance programs is "to further the attainment of national economic and social goals by realizing the full productive potential of Canada's human resources, while supporting the initiatives of individuals to pursue their economic needs and, more generally, their self-fulfillment through work."

The immigration program recruits, admits and helps in the adaptation of people deemed suitable residents, citizens, workers and visitors for Canada, and protects Canadians against the entry of undesirable non-Canadians.

In these endeavours, officials of the commission/department work with other federal government departments, the provinces and the private sector.

Legislative Mandate

The following legislation is administered by Employment and Immigration Canada:

- Employment and Immigration Department and Commission Act
- Unemployment Insurance Act and Regulations
- Canada Employment and Immigration Advisory Council Act
- Employment Equity Act and Regulations
- Immigration Act and Regulations
- Immigration Exemption Regulations
- Immigration Visa Exemption Regulations
- Immigration Act Fees Regulations
- Indochinese Designated Class Regulations
- National Employment Service Regulations
- National Training Act and Regulations
- Political Prisoners and Oppressed Persons Designated Class Regulations
- Refugee Claimants Designated Class Regulations
- Self-Exiled Persons Designated Class Regulations

- Government Annuities Act and Regulations
- Government Annuities Improvement Act and Regulations
- Labour Adjustment Benefits Act

Initiatives

EIC-1

Developmental Assistance – Relocation and Job Search Assistance

Geographic mobility is an important factor in labour market adjustment. Relocation to a new community represents one response by Canadian workers to changes in demands for their skills. Costs play an important part in a worker's decision to relocate, particularly where significant geographic distances are involved.

New Regulations are being developed which will facilitate the relocation of workers by assisting claimants in seeking employment in areas where their opportunities for employment are greater and in moving to those places, or to places where they have found employment.

The new Regulations will empower the commission to: provide funds to claimants for job search (this assistance is supplementary to benefits payable to claimants under the Unemployment Insurance Act) and assist claimants to relocate by allowing them to capitalize (receive in a lump sum) their unemployment insurance benefits. The maximum amount of benefits that may be capitalized is the lesser of the amount of benefits to which a claimant is entitled, and reasonable costs of relocation.

This initiative appeared in the 1991 Regulatory Plan as 212-EIC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Yves Poisson, Director General, Employment Policies Branch, Employment and Immigration Canada, Place du Portage, Phase IV, 4th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 994-3684

EIC-2

Immigration Visa Exemption Regulations

Subsection 9(1) of the Immigration Act requires all immigrants to apply for and obtain an immigrant visa before arriving at a Canadian port of entry. There is, however, a need recognized by the law to extend a privilege to allow certain individuals to seek permanent resident status from within Canada. The Immigration Visa Exemption Regulations provide relief from immigrant visa requirements for persons already in Canada and mainly involve humanitarian and/or compassionate considerations. They are a series of Regulations consisting of lists of named individuals going forward on a continuing basis.

Individually, each of these Regulations has little impact on the economy and the general public. These exemptions, which may be considered concurrently with the Immigration Exemption Regulations, benefit between 25 000 and 35 000 applicants for permanent residence in Canada per calendar year.

This recurring initiative is repeated on a yearly basis. In the 1991 Regulatory Plan it appeared as 217-EIC.

Expected Date of Publication: On a continuing basis, 1992, *Canada Gazette*, Part II

Contact: Director, Case Research/Processing Directorate, Case Management Branch, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-8376

EIC-3

Immigration Exemption Regulations

The Immigration Regulations stipulate that prospective immigrants must meet certain requirements before an immigrant visa can be issued. The Immigration Exemption Regulations provide relief from these requirements on behalf of persons who, for various reasons, are unable to comply for landing in Canada. Submissions, consisting exclusively of multipage lists of named individuals, go forward on a continuing basis and involve mainly humanitarian and/or compassionate grounds.

Individually, each of these Regulations has little impact on the economy and the general public. These exemptions, which may be considered concurrently with the Immigration Visa Exemption Regulations, benefit between 15 000 and 25 000 applicants for permanent residence in Canada per calendar year.

This recurring initiative appeared in the 1991 Regulatory Plan as 218-EIC.

Expected Date of Publication: On a continuing basis, 1992, *Canada Gazette*, Part II

Contact: Director, Case Research/Processing Directorate, Case Management Branch, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-8376

EIC-4

Revocation of an Immigration Visa Exemption Regulation

The Immigration Visa Exemption Regulations provide relief from the requirement that immigration visas be applied for and be obtained outside Canada. Exemptions are sought in cases where humanitarian and compassionate grounds exist or on the basis of national interest. When an exemption has been granted, an application for permanent residence can be assessed within Canada.

This Regulation will allow for the revocation of an Immigration Visa Exemption Regulation with respect to a particular person, before landing has occurred, when evidence comes to light that landing in Canada is no longer warranted.

The effect of the Regulation is limited to the individual who is no longer eligible to apply for landing within Canada but will have to apply for an immigrant visa abroad.

This recurring initiative appeared in the 1991 Regulatory Plan as 219-EIC.

Expected Date of Publication: Revocations will be sought on an ad hoc basis, 1992

Contact: Director, Case Research/Processing Directorate, Case Management Branch, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-8376

EIC-5

Immigration Act Fees Regulations – New and Modified Fees

This regulatory initiative is intended to expand the range of chargeable services provided under the immigration program, increase existing fees, and decrease the fee-exempted categories.

These changes provide for the collection of fees for some immigration services which have been provided free of charge to the public previously. Additionally, areas where fees are currently being charged will be subject to a general increase and a review with the intent of reducing exemptions from fees. In April 1991, new and revised fees for cost-recovery immigration services were initiated. Fees for 12 immigration services previously provided at no cost to the recipient, and an increase to the fee for permanent residence applications, were introduced. Current analyses have shown that these fees still remain substantially lower than the true cost of providing these immigration services.

Fees will not affect the present composition or volume of immigration traffic.

This recurring initiative appeared in the 1991 Regulatory Plan as 220-EIC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette* Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Denis A. Boulanger, Head, Cost Recovery Program, Resource Planning and Cost Recovery, Immigration Support Services, Employment and Immigration Canada, Place du Portage, Phase IV, 4th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 994-4949

EIC-6

Immigration Regulations, 1978 – Applications for Permanent Residence From Within Canada

This initiative is intended to set out the requirements that must be met by a person who applies for permanent residence from within Canada without having to apply for or obtain a visa.

These changes will stipulate that a person who applies for permanent residence from within Canada will have to meet the same requirements as one who applies for an immigrant visa at a post abroad.

The present Regulation does not establish clearly what criteria must be met by an applicant for permanent residence who is in Canada. The changes will ensure that all immigrants are assessed under the same criteria. Currently, this process is being done administratively.

There should be no additional costs brought on by the regulatory change.

This initiative appeared in the 1991 Regulatory Plan as 221-EIC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. May, A/Director, Immigrant and Visitor Programs, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-8379

EIC-7

Immigration Regulations, 1978 – Authorization for Holders of Minister's Permits in Canada to Apply for Student Authorizations

This initiative is intended to enable holders of Minister's permits to apply for student authorizations from within Canada.

The Minister has discretionary authority to allow inadmissible or removable persons to come into Canada where such action is in the national interest or is warranted on humanitarian and compassionate grounds. The document indicating that this authority has been exercised is called a Minister's permit.

Approximately 35 000 permits or extensions to permits were issued in 1989.

This initiative would resolve the anomaly that requires a Minister's permit holder to apply for a student authorization while outside Canada while the dependants may apply when in Canada. The amendment will ensure compliance with provincial mandatory school attendance legislation in situations where the permit holder is a minor. It will ensure also that persons who are issued permits, after their arrival in Canada, will be able to attend school immediately without having to leave the country to obtain the necessary authorization.

Persons who have been placed on permits for other reasons would also be able to apply.

This initiative appeared in the 1991 Regulatory Plan as 222-EIC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. May, A/Director, Immigrant and Visitor Programs, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-8379

EIC-8

Immigration Regulations, 1978 – Exempt Commonwealth Caribbean Seasonal Agricultural Workers from Visitor Visa Requirements

This carry-over initiative will allow Commonwealth Caribbean seasonal agricultural workers to enter Canada with a valid employment authorization only and will exempt them from the current requirement of also obtaining a visitor visa.

At present, the principal countries of the Caribbean involved in the program are not visa exempt. Each year, there is a large demand in Canada for foreign seasonal agricultural workers, many of whom are citizens of Jamaica, Trinidad and Tobago. The need to issue an employment authorization and a visitor visa for every applicant increases the workload of visa officers and delays the process considerably.

The continued success of this program depends on Employment and Immigration Canada's ability to process the applications of seasonal workers within a very short time frame following the demand for their services. The exemption will reduce the paper burden and the number of interviews conducted by visa officers.

This initiative appeared in the 1991 Regulatory Plan as 224-EIC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J. May, A/Director, Immigrant and Visitor Programs, Employment and Immigration Canada, Place du Portage, Phase IV, Hull, Quebec, K1A 0J9. Tel. (819) 953-8379

EIC-9

Immigration Regulations, 1978 – Visitor Visa Requirements

Subsection 9(1) of the Immigration Act requires every visitor, except in cases prescribed by Regulation, to apply for and obtain a visa before appearing at a Canadian port of entry. Prescription of cases is through inclusion in Schedule II of the Immigration Regulations, and exemptions are usually granted on the basis of nationality.

In the event that a serious immigration control problem involving citizens of a specific country emerges or that the fraudulent use of a specific (visa-exempt) country's documents becomes a serious problem, it may be necessary to amend the Regulations to cancel the visa-exempt status of citizens of such countries. Likewise, as immigration control problems are resolved, usually following socio-political events within a specific country, or in situations where bilateral agreements require that certain categories of visitors be exempt from visa requirements, it may become necessary to add countries to Schedule II. These are ongoing initiatives from year to year.

Removals from or additions to the visa-exempt list are reactive measures to counteract abuse of the Immigration Act by non-genuine visitors from the country named, or to provide for exemptions where immigration control problems are not in evidence.

Direct impact on Canadians and the Canadian economy is minimal.

This initiative appeared in the 1991 Regulatory Plan as 225-EIC.

Expected Date of Publication: Exemption or exemption cancellations will be dealt with on an ad hoc basis

Contact: D. MacKay, A/Director, Control Policy, Policy and Program Development, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-3191

EIC-10

Immigration Regulations, 1978 – Conformity with Revised Statutes, 1985

The Revised Statutes, 1985 make numerous changes in the numbering and terminology of the Immigration Act. All provisions of the Regulations that refer to renumbered sections of the Act or use replaced terminology must be adjusted.

Adjustment of the Regulations will make them easier to understand and use for all concerned, and will ensure that their subject matter continues to have secure legal foundation.

This initiative appeared in the 1991 Regulatory Plan as 226-EIC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Burstein, Director, Strategic Planning and Research, Immigration, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 994-6346

EIC-11

Immigration Regulations, 1978 – Transportation, Assistance and Admissibility Loans

The current Regulations allow for transportation, assistance and admissibility loans to be issued to Convention refugees and designated class persons (persons in refugee-like situations) on an interest-free basis for the life of the loan. These amendments will allow interest to be accrued on the balance owing on transportation, assistance and admissibility loans two years after issuance.

Changes to the Regulations will limit access to the transportation, assistance and admissibility loans to those in need. They will allow the Minister of Employment and Immigration to establish priorities for access to the loan fund and encourage earlier repayment of loans. These measures will ensure that the loan program will continue to operate on a revolving basis and encourage the availability of funds for other refugees and designated class persons.

This recurring initiative appeared in the 1990 Regulatory Plan as 158-EIC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: L.J. Baillargeon, Chief, Settlement Control, Settlement Branch, Immigration Operations, Employment and Immigration Canada, Place du Portage, Phase II, 4th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 994-3238

EIC-12

Immigration Regulations, 1978 – Employment Authorization Exemption

This initiative is intended to allow persons who come into Canada at the request of Canadian police forces, to engage in employment without an employment authorization in order to assist in a criminal investigation.

Subsection 18(1) of the Immigration Regulations, 1978 prohibits persons who are not Canadian citizens or permanent residents from engaging or continuing in employment in Canada without a valid and subsisting employment authorization. Subsection 19(1) of the Regulations exempts persons who seek to come into Canada to engage in certain classes of employment from the application of Subsection 18(1).

This initiative is consistent with the legislated objectives which are to maintain and protect the safety and good order of Canadian society, and to deny the use of Canadian territory to persons who are likely to engage in criminal activity. On average, Employment and Immigration Canada processes 20 such cases each year.

The employment opportunities for Canadians are not affected.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: I.B. Taylor, A/Director, Security Review, Case Management Branch, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 994-6306

EIC-13

Immigration Regulations, 1978 – Eligibility of Adopted Children as Family Members

At present, adopted children are eligible for sponsorship by Canadians only if the adoption has taken place before the child has reached age 13. Similarly, an adopted child is eligible for admission as a dependant accompanying an independent immigrant or a sponsored family member only if the child has been adopted before reaching age 13.

This initiative will remove the existing age limitation. The Regulations will also contain provisions designed to provide a level of protection for the child, and to reduce the potential for adoptions undertaken for immigration purposes.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Mildred J. Morton, A/Director, Immigration Policy, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 994-6347

EIC-14

Immigration Regulations, 1978 – Temporary Entry and the Free Trade Agreement

Subsection 19(4) of the Immigration Regulations, 1978, describes those persons who are eligible to apply in Canada for employment authorization. This initiative will establish a new paragraph under Subsection 19(4) respecting citizens of the United States. The amendment will harmonize United States and Canadian Immigration legislation with the intent and spirit of the Free Trade Agreement. Current United States of America Statute and Regulations provide for a change of status from a non-immigrant classification to another for an alien lawfully inspected and admitted.

This initiative appeared in the 1990 Regulatory Plan as 161-EIC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Ken McIntosh, Director, or Harland Harvey, Chief, Free Trade Business Persons Division, Business Immigration Directorate, Immigrant and Visitor Programs, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-7713

EIC-15

Immigration Regulations, 1978 – Exemption from Employment Authorization for Crew Members of Foreign Owned or Registered Vehicles

This regulatory initiative is intended to ensure a more accurate reflection of government policy which prohibits cabotage of goods in the trucking industry. Cabotage is the movement by foreign transporters of goods or passengers between two or more Canadian destinations. The regulatory change is aimed primarily at trucking, rail and air transport.

Canadian truckers are up against stiff competition from American truckers, who, because of lower costs, are able to offer Canadian businesses cheaper rates on the transportation of goods. The problem is exacerbated by the current Immigration Regulation which appears to permit some topping up of the principal, international cargo.

It is important to recognize, however, that there are situations in which cabotage could be desirable. For instance, in areas of the country not served by Canadian transporters or where budgetary cuts have reduced transport services, some form of cabotage might be advantageous. In other cases, international agreements might permit a certain amount of cabotage to be practised.

The modification, therefore, requires a two-stage Regulation. The first sets out the principle of prohibiting cabotage; the second, in the form of an Annex, lists selected derogations from the principle which are judged to be in Canada's interest.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: B. Grant, A/Director, Visitor Policy, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-7720

EIC-16

Refugee Resettlement and Designated Class Regulations – Private Sponsorship Provisions

Private sponsorship of refugees and members of designated classes has been the subject of a comprehensive review by a committee of both government and non-government representatives. The review has identified a number of areas of concern, some of which may be addressed by amendments to the Immigration Regulations, 1978, and the various Designated Class Regulations outlining the roles and responsibilities of sponsoring groups. These amendments will be the first major revisions of the Regulations governing private sponsorship since the introduction of the current Regulations in 1978.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Sandra Napoli, Program Officer, Refugee Affairs Branch, Employment and Immigration Canada, Place du Portage, Phase II, 5th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 997-4424

EIC -17

Immigration Regulations, 1978 – Employment Authorization for Business Persons

Persons who seek to apply for a temporary employment authorization to establish a business in Canada will be required to apply at a Canadian visa office.

Ports of entry are not able to examine such requests. At a port of entry, the expectation is that the applications will be dealt with expeditiously. Determining the merits of a business, however, is a decision which often requires consultation with other parties and is not one which can be rendered immediately. In light of the need to manage immigration levels, and of the increasing demand on resources from persons interested in immigrating to Canada, the amendment will prevent prospective immigrants from bypassing the regular immigration queue.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. May, Chief, Immigrant and Visitor Programs, Immigration Operations, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-8379

EIC-18

Immigration Regulations, 1978 – General Agreement on Trade in Services

This regulatory change is required to meet Canada's liberalization offer in the event that an agreement is reached on Trade in Services under the current round of GATT negotiations. As a result of this change, service sellers would be treated the same as sellers of goods and buyers of goods and services, all of whom are exempt from the requirement to obtain an employment authorization. This change would permit reciprocal access to foreign markets for Canadian service sellers.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: B. Grant, A/Director, Visitor Policy, Immigration Policy, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-7720

EIC-19

Immigration Regulations, 1978 – Medical Examinations

Paragraph 19(1)(a) of the Immigration Act describes the class of persons who are inadmissible to Canada for medical reasons. Reasons for refusing a person admission to Canada are either that he/she represents a danger to public health or safety or that his/her medical condition could reasonably be expected to place an excessive demand on the health care or social services systems. Section 22 of the Immigration Regulations describes the factors which should be considered by medical officers in reaching decisions on medical inadmissibility.

These changes will clarify further the grounds on which determination of danger to public health and excessive demand are to be made. They will ensure also that the criteria are consistent with the Canadian Charter of Rights and Freedoms.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: B. Grant, A/Director, Visitor Policy, Immigration Policy, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-7720

EIC-20

Immigration Regulations, 1978 – Exemption from Examinations for Crew Members Docking at Offshore Installations

This regulatory initiative is intended to allow crew members of ships used for the transportation of oil or liquid natural gas to dock at production rigs for the purposes of loading oil or gas, without having to report for examination by an immigration officer.

Under existing legislation, all persons seeking to come into Canada must report for examination at a port of entry. Offshore production rigs are not defined as ports of entry for the purposes of the Immigration Act. Without this initiative, tanker crews would have to report to an immigration officer on shore before being allowed to dock at a production rig to take on cargo. As these ships would only be entering Canada to pick up cargo, the current requirement to report for examination would place an unnecessary work-load burden on Immigration and an unnecessary financial burden on the shipping companies. The cost of providing examination services at the production rigs would be prohibitive, thus Immigration has no intention of amending its Regulations to define offshore production rigs as ports of entry. This initiative applies only to crew members of ships used to transport oil or liquid gas. It is intended to facilitate commercial activity while protecting employment opportunities in other areas for Canadians.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D. MacKay, A/Director, Control Policy, Policy and Program Development, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-3191

EIC-21

Immigration Regulations, 1978 – Exemption from Examination for Workers Returning from Offshore Installations

This regulatory initiative is intended to allow a person who leaves Canada and goes directly to any offshore installation (e.g., oil rigs) attached or anchored to the Canadian continental shelf, to return to Canada without having to be examined by an immigration officer.

Under present legislation, any person seeking to come into Canada must be examined by an immigration officer pursuant to Subsection 12(1). This initiative will remove this statutory obligation for those persons who must travel through or over international waters to get to these installations. As these persons are not entering the territory or territorial sea of another country, the current need to report for examination is an unnecessary burden for both Immigration and the persons. It does not exempt persons who, in the course of going to and from an offshore installation, enter the territory or territorial sea of another country.

The Canadian Laws Offshore Application Act, 1990, extended the application of the Immigration Act and Regulations to offshore installations located on the continental shelf or within the 200 mile economic zone declared by Canada, whichever is greater.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D. MacKay, A/Director, Control Policy, Policy and Program Development, Employment and Immigration Canada, Place du Portage, Phase IV, 9th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 953-3191

EIC-22

Unemployment Insurance Regulations – Insurability Rules for Allocation of Separation Monies

This initiative addresses the need for better correlation between rules contained in the Unemployment Insurance Collection of Premiums Regulations relating to insurable earnings and the rules relating to minimum earnings in order for employment to be insurable contained in Section 13 of the Unemployment Insurance Regulations.

This proposal would amend Section 13 of the Unemployment Insurance Regulations to remove administrative difficulties and inconsistency faced by employers in allocating separation moneys as earnings for determining minimum insurability and for calculating the level of insurable earnings for premiums payable. The initiative would be of benefit to claimants as well as employers and would reduce related administrative difficulties for both Revenue Canada and the Canada Employment and Immigration Commission. There will be no financial impact.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Grenon, Senior Policy Advisor, Insurance, Employment and Immigration Canada, Place du Portage, Phase IV, 11th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 997-8625

EIC-23

Unemployment Insurance Regulations – Time Limitation for Receipt of Claims for Benefits

When a benefit period has been established, the Unemployment Insurance Act requires that a claimant make a claim for benefit for each week of unemployment in that benefit period. The normal way of making such claims is by completing and returning a Canada Employment and Immigration Commission computer-generated form called the Claimant's Report which usually covers a two-week period.

In practice, the Claimant's Report is considered to be on time if it is returned by the claimant within five weeks of the week of issue. It is proposed to amend Section 34 of the Unemployment Insurance Regulations so that it reflects this current practice.

There would be no impact since there would be no change in substance.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: D. Beaman, Senior Policy Advisor, Insurance, Employment and Immigration Canada, Place du Portage, Phase IV, 11th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 994-6044

EIC-24

Unemployment Insurance Regulations – Redefinition of a Working Day

Section 14 of the Unemployment Insurance Act requires a claimant to be available for work for any "working day." This term is defined in Section 45 as being any day of the week except Saturday and Sunday.

The proposed amendment to the definition of "working day" will take into consideration the fact that Saturdays and Sundays have become working days for a significant part of the labour force, and will take into account legislated or religious holidays falling on days other than Saturdays and Sundays.

This amendment should be well received and on balance there should be no additional cost.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Gordon McFee, Director, Policy and Legislation Development, Insurance, Employment and Immigration Canada, Place du Portage, Phase IV, 11th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 997-8622

EIC-25

Unemployment Insurance Regulations – Exclusion of Non-taxable Disability Income from Earnings

As a result of the 1991 budget, a bill will be introduced in Parliament to amend the Income Tax Act to exclude certain disability benefits or allowances (such as transportation received by employees from employers) from taxable income.

For purposes of consistency, it is proposed to amend Subsection 57(3) of the Unemployment Insurance Regulations to make it clear that all disability non-taxable income from employment will be specifically excluded as earnings for Unemployment Insurance benefit purposes.

The impact will be negligible since the proposed amendment would affect only disabled workers employed part-time while receiving Unemployment Insurance benefits and, the number of these receiving such non-taxable allowances is estimated to be extremely low.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Allain, Senior Policy Advisor, Insurance, Employment and Immigration Canada, Place du Portage, Phase IV, 11th Floor, 140 Promenade du Portage, Hull, Quebec, KIA 0J9. Tel. (819) 997-8626

EIC-26

Unemployment Insurance Regulations – Supplemental Unemployment Benefits Program (SUB)

It is proposed to amend Paragraph 57(13)(g) to remove the requirement to submit plans to the Canada Employment and Immigration Commission prior to their effective date. This will allow backdating in those cases where a collective agreement process extends over a long period of time.

There will be no cost implications. The proposal should be well received by both employers and employees.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: L. Schingh, Coverage Officer, Insurance, Employment and Immigration Canada, Place du Portage, Phase IV, 11th Floor, 140 Promenade du Portage, Hull, Quebec, K1A 0J9. Tel. (819) 997-8632

Energy, Mines and Resources Canada

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General Information

Roles and Responsibilities

Energy, Mines and Resources Canada (EMR) is responsible for co-ordinating, promoting and recommending national policies concerning energy, mines, minerals and other resources, and formulating plans for their conservation, development and use. In addition, the department is authorized to conduct research and technical surveys to assess mineral and energy resources, including a full and scientific examination and survey of Canada's geological structure and legal boundaries; to prepare and publish maps; to conduct scientific and economic research relating to the energy, mining and metallurgical industries; and to establish and operate scientific laboratories required for the conduct of these duties.

Legislative Mandate

The department's mandate is primarily based on the Department of Energy, Mines and Resources Act, the Resources and Technical Surveys Act, and the Explosives Act. All other Acts administered in whole or in part by EMR are as follows:

- Arctic Waters Pollution Prevention Act
- Atomic Energy Control Act
- Canada-Newfoundland Atlantic Accord Implementation Act
- Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act
- Canada-Nova Scotia Oil and Gas Agreement Act
- Canada Petroleum Resources Act
- Canadian Exploration and Development Incentive Program Act
- Canadian Exploration Incentive Program Act
- Canadian Home Insulation Program Act
- Canadian Ownership and Control Determination Act
- Cooperative Energy Act
- Energy Administration Act
- Energy Monitoring Act
- Energy Supplies Emergency Act
- Hibernia Development Project Act
- International Boundary Commission Act
- Lands Surveys, Canada Act
- National Energy Board Act
- Nuclear Liability Act
- Oil and Gas Production and Conservation Act
- Oil Substitution and Conservation Act

- Petro-Canada Act
- Petroleum Incentives Program Act
- Provincial Boundaries Acts (as listed in the Table of Public Statutes, *Canada Gazette*, Part III)

Administrative Arrangements

The department has close links with central agencies and other departments. The Department of Finance, with its responsibility for Canada's national and regional economies, its international economic, financial and investment relations, and its taxation structure, has a direct concern with the role of minerals and energy in the economy. Other federal departments, such as Environment Canada, Fisheries and Oceans, Agriculture Canada and Forestry Canada share responsibilities for the development of Canada's natural resources with EMR. The department shares science and technology responsibilities with the Department of Industry, Science and Technology Canada and other science-oriented federal departments and agencies.

On the energy front, the department maintains a special relationship with the following agencies that report to the Minister: the National Energy Board, the Atomic Energy Control Board, Atomic Energy of Canada Limited, the Petroleum Monitoring Agency, Energy Supplies Allocation Board and Petro-Canada.

Initiatives

EMR-1

Canada Oil and Gas Installations

The Oil and Gas Production and Conservation Act provides for the making of Regulations prescribing minimum acceptable standards for the construction, alteration or use of works, machinery and plants used in the exploration for and development and production of oil and gas. In addition, it allows for regulation of the safety aspects of oil and gas activity. The proposed Regulations will establish performance criteria for the various components of a superstructure to ensure that operations will be carried out in a safe environment.

The petroleum industry already adheres to the design and operating principles set out in the proposed Regulations. With the exception of certain provisions imposing more rigorous standards due to the exceptional environmental conditions found in the Canadian offshore, the performance standards contained in the proposed Regulations are similar to those adopted by most offshore oil-producing countries.

This initiative appeared in the 1991 Regulatory Plan as 82-COGLA. This initiative is the same as INAC-21.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
Tel. (613) 991-2005

EMR-2

Newfoundland Offshore Area Petroleum Installations

The Canada-Newfoundland Atlantic Accord Implementation Act provides for the making of Regulations prescribing minimum acceptable standards for the construction, alteration or use of works, machinery and plants used in the exploration for and development and production of oil and gas. In addition, it allows for regulation of the safety aspects of oil and gas activity. The proposed Regulations will establish performance criteria for the various components of a superstructure to ensure that operations will be carried out in a safe environment.

The proposed Regulations will be, to the extent enabling legislation permits, identical to the Canada Oil and Gas Installations Regulations. The petroleum industry already adheres to the design and operating principles set out in the draft Canada Oil and Gas Installations Regulations. With the exception of certain provisions imposing more rigorous standards due to the exceptional environmental conditions found in the Newfoundland offshore, the performance standards contained in the Regulations are similar to those adopted by most offshore oil-producing countries.

This initiative appeared in the 1991 Regulatory Plan as 83-COGLA.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
Tel. (613) 991-2005

EMR-3

Nova Scotia Offshore Area Petroleum Installations

The Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act provides for the making of Regulations prescribing minimum acceptable standards for the construction, alteration or use of works, machinery and plants used in the exploration for and development and production of oil and gas. In addition, it allows for regulation of safety aspects of oil and gas activity. The proposed Regulations will establish performance criteria for the various components of a superstructure to ensure that operations will be carried out in a safe environment.

The proposed Regulations will be, to the extent the enabling legislation permits, identical to the Canada Oil and Gas Installations Regulations and the Newfoundland Offshore Petroleum Installations Regulations. The petroleum industry already adheres to the design and operating principles set out in the draft Canada Oil and Gas Installations Regulations. With the exception of certain provisions imposing more rigorous standards due to the exceptional environmental conditions found in the Nova Scotia offshore, performance standards contained in the Regulations are similar to those adopted by most offshore oil-producing countries.

This initiative appeared in the 1991 Regulatory Plan as 84-COGLA.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources

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EMR-4

Petroleum Occupational Safety and Health – Newfoundland

The Canada-Newfoundland Atlantic Accord Implementation Act excludes the application of Part IV of the Canada Labour Code. Consequently, it is necessary to develop a separate set of Regulations in respect of the safety and inspection of all petroleum operations in the Newfoundland offshore area, similar to the Oil and Gas Occupational Safety and Health (OSH) Regulations promulgated under the authority of Part IV of the Canada Labour Code.

The proposed Regulations will be as similar as legislatively possible to the Oil and Gas OSH Regulations under the Canada Labour Code to ensure consistency in safety standards in all petroleum operations across Canada. Both the Canadian Petroleum Association and the Independent Petroleum Association of Canada were actively involved in the drafting and review of the Labour Code Oil and Gas OSH Regulations. Thus, the promulgation of these Regulations in the Newfoundland offshore area will have no additional impact on the industry.

This initiative appeared in the 1991 Regulatory Plan as 88-COGLA.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4. Tel. (613) 991-2005

EMR-5

Petroleum Occupational Safety and Health – Nova Scotia

The Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act excludes the application of Part IV of the Canada Labour Code. Consequently, it is necessary to develop a separate set of Regulations in respect of the safety and inspection of all petroleum operations in the Nova Scotia offshore area, similar to the Oil and Gas Occupational Safety and Health (OSH) Regulations promulgated under the authority of Part IV of the Canada Labour Code.

The proposed Regulations will be as similar as legislatively possible to the Oil and Gas OSH Regulations under the Canada Labour Code to ensure consistency in safety standards in all petroleum operations across Canada. Both the Canadian Petroleum Association and the Independent Petroleum Association of Canada were actively involved in the drafting and review of the Labour Code Oil and Gas OSH Regulations. Thus, the promulgation of these Regulations in the Nova Scotia offshore area will have no additional impact on the industry.

This initiative appeared in the 1991 Regulatory Plan as 89-COGLA.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4. Tel. (613) 991-2005

EMR-6

Canada Oil and Gas Geophysical

The Oil and Gas Production and Conservation Act (OGPCA) provides for the making of Regulations respecting safety, conservation practices and the prevention of pollution in operations for the exploration for and production of oil and gas. These Regulations will provide specifically for the authorization and Regulation of geophysical operations and ensure the safety and protection of the environment for geophysical operations in areas covered by the OGPCA.

The oil and gas industry has been operating with the draft Canada Oil and Gas Geophysical Regulations for a number of years. In addition, the Canadian Petroleum Association, the Independent Petroleum Association of Canada and technical associations within the industry have been consulted for their views on the formulation of these Regulations. Promulgation of the proposed Regulations is not anticipated to have any incremental impact on the petroleum industry.

This initiative appeared in the 1991 Regulatory Plan as 90-COGLA. This initiative is the same as INAC-23.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

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EMR-7

Newfoundland Offshore Area Petroleum Geophysical

The Canada-Newfoundland Atlantic Accord Implementation Act provides for the making of Regulations respecting safety, conservation practices and the prevention of pollution in operations for the exploration for and production of oil and gas. These Regulations will specifically provide for the authorization and Regulation of geophysical operations and ensure the safety and protection of the environment for geophysical operations in the Newfoundland offshore area.

The oil and gas industry has been operating with the draft Canada Oil and Gas Geophysical Regulations for a number of years. In addition, the Canadian Petroleum Association, the Independent Petroleum Association of Canada and technical associations within the industry have been consulted for their views on the formulation of these Regulations. Promulgation of the proposed Regulations is not anticipated to have any incremental impact on the petroleum industry.

This initiative appeared in the 1991 Regulatory Plan as 91-COGLA.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

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EMR-8

Nova Scotia Offshore Area Petroleum Geophysical

The Canada-Nova Scotia Offshore Petroleum Resource Accord Implementation Act provides for the making of Regulations respecting safety, conservation practices and the prevention of pollution in operations for the exploration for and production of oil and gas. These Regulations will specifically provide for the authorization and Regulation of geophysical operations and ensure the safety and protection of the environment for geophysical operations in the Nova Scotia offshore area.

The oil and gas industry has been operating with the draft Canada Oil and Gas Geophysical Regulations for a number of years. In addition, the Canadian Petroleum Association, the Independent Petroleum Association of Canada and technical associations within industry have been consulted for their views on the formulation of these Regulations. Promulgation of the proposed Regulations is not anticipated to have any incremental impact on the petroleum industry.

This initiative appeared in the 1991 Regulatory Plan as 92-COGLA.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

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EMR-9

Canada Certificate of Fitness

The Oil and Gas Production and Conservation Act authorizes the making of Regulations that prescribe minimum acceptable standards for the construction, alteration or use of any equipment, works, plants and appliances. In order to ensure that these standards are met by the petroleum industry in relation to offshore installations and structures, an independent third party known as a Certifying Authority will be required to confirm to the Regulator that the installation has been designed, constructed and installed in accordance with the applicable Regulations and is fit for the purpose for which it is intended. This confirmation will be in the form of a Canada Certificate of Fitness issued by the Certifying Authority. The proposed Canada Certificate of Fitness Regulations will define which companies can issue the certificates and prescribe the criteria for issuance.

Certificates of Fitness have long been recognized and required internationally and are thus not new to the petroleum industry. However, the requirement for Certificates of Fitness in Canada will impose an additional financial burden on the industry as it will be the proponent's responsibility to obtain and pay for the certificate.

This initiative appeared in the 1991 Regulatory Plan as 85-COGLA. This initiative is the same as INAC-22.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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EMR-10

Newfoundland Certificate of Fitness

The Canada-Newfoundland Atlantic Accord Implementation Act (C-NAAIA) authorizes the making of Regulations that prescribe minimum acceptable standards for the construction, alteration or use of any equipment, works, plants and appliances. In order to ensure that these standards have been met by the petroleum industry in relation to offshore installations and structures, an independent third party known as a Certifying Authority will be required to confirm to the Regulator that the installation has been designed, constructed and installed in accordance with the applicable Regulations and is fit for the purpose for which it is intended. This confirmation will be in the form of a Newfoundland Certificate of Fitness issued by the Certifying Authority. The proposed Newfoundland Certificate of Fitness Regulations will define which companies can issue the certificates and prescribe the criteria for issuance.

Certificates of Fitness have long been recognized and required internationally and are thus not new to the petroleum industry. However, the requirement for Certificates of Fitness will impose an additional financial burden on the industry as it will be the proponent's responsibility to obtain and pay for the certificate.

This initiative appeared in the 1991 Regulatory Plan as 86-COGLA.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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EMR-11

Nova Scotia Certificate of Fitness

The Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act authorizes the making of Regulations that prescribe minimum acceptable standards for the construction, alteration or use of any equipment, works, plants and appliances. In order to ensure that these standards have been met by the petroleum industry in relation to offshore installations and structures, an independent third party known as a Certifying Authority will be required to confirm to the Regulator that the installation has been designed, constructed and installed in accordance with the applicable Regulations and is fit for the purpose for which it is intended. This confirmation will be in the form of a Nova Scotia Certificate of Fitness issued by the Certifying Authority. The proposed Nova Scotia Certificate of Fitness Regulations will define which companies can issue the certificates and prescribe the criteria for issuance.

Certificates of Fitness have long been recognized and required internationally and are thus not new to the petroleum industry. However, the requirement for Certificates of Fitness will impose an additional financial burden on the industry as it will be the proponent's responsibility to obtain and pay for the certificate.

This initiative appeared in the 1991 Regulatory Plan as 87-COGLA.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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EMR-12

Canada Oil and Gas Production and Conservation

These Regulations establish the minimum requirements for all persons engaged in the development and production of oil and gas on lands under federal jurisdiction. When the Canada Certificate of Fitness Regulations come into practice, the Canada Oil and Gas Production and Conservation Regulations will need amending in order to reference the certificate of fitness requirements.

No significant impact on the petroleum industry is expected as a result of this initiative.

This initiative appeared in the 1990 Regulatory Plan as 90-COGLA. This initiative is the same as INAC-25.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
Tel. (613) 991-2005

EMR-13

Canada Oil and Gas Drilling

These Regulations were first promulgated in 1979 under the Oil and Gas Production and Conservation Act (OGPCA). They set out the regulatory requirements operators must follow if they wish to undertake drilling operations on lands under federal jurisdiction. The proposed amendments will reflect the certificate of fitness requirements introduced in the Canada Certificate of Fitness Regulations. The amendments will also update the Regulations in accordance with provisions in the OGPCA for authorizations of drilling activity.

The amendments do not change the current regime for authorizing drilling activities in substance, and no significant impact on the petroleum industry is expected.

This initiative appeared in the 1990 Regulatory Plan as 88-COGLA. This initiative is the same as INAC-26.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
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EMR-14

Newfoundland Offshore Petroleum Drilling

These Regulations are based on similar federal Regulations first promulgated in 1979 under the Oil and Gas Production and Conservation Act (OGPCA). They set out regulatory requirements operators must follow if they wish to undertake drilling operations in the Newfoundland offshore area. When the Newfoundland Certificate of Fitness Regulations come into practice, it will be necessary to amend the present Newfoundland Offshore Petroleum Drilling Regulations to reference the certificate of fitness requirements.

There will be no significant impact on the petroleum industry.

This initiative appeared in the 1990 Regulatory Plan as 89-COGLA.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
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EMR-15

Nova Scotia Offshore Petroleum Drilling

These Regulations are based on similar federal Regulations first promulgated in 1979 under the Oil and Gas Production and Conservation Act (OGPCA). They set out regulatory requirements operators must follow if they wish to undertake drilling operations in the Nova Scotia offshore area. When the Nova Scotia Certificate of Fitness Regulations come into practice, it will be necessary to amend the present Nova Scotia Offshore Petroleum Drilling Regulations in order to reference the certificate of fitness requirements.

There will be no significant impact on the petroleum industry.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
Tel. (613) 991-2005

EMR-16

Canada Oil and Gas Diving

These Regulations were first promulgated in 1988 under the Oil and Gas Production and Conservation Act (OGPCA). They set out the regulatory requirements operators must follow if they wish to undertake diving operations in areas subjected to the OGPCA. When the Canada Certificate of Fitness Regulations come into practice, the Canada Oil and Gas Diving Regulations will need amending in order to reference the certificate of fitness requirements.

No significant impact is expected as a result of this initiative.

This is a new initiative. This initiative is the same as INAC-27.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
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EMR-17

Newfoundland Offshore Oil and Gas Diving

These Regulations, based on similar federal Regulations, establish the regulatory requirements that operators must follow if they wish to undertake diving operations in the Newfoundland offshore area. When the Newfoundland Certificate of Fitness Regulations come into practice, it will be necessary to amend the Newfoundland Offshore Oil and Gas Diving Regulations in order to reference the certificate of fitness requirements.

No significant impact is expected as a result of this initiative.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
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EMR-18

Nova Scotia Offshore Petroleum Diving

These Regulations, based on similar federal Regulations, establish the regulatory requirements that operators must follow if they wish to undertake diving operations in the Nova Scotia offshore area. When the Nova Scotia Certificate of Fitness Regulations come into practice, it will be necessary to amend the Nova Scotia Offshore Petroleum Diving Regulations in order to reference the certificate of fitness requirements.

No significant impact is expected as a result of this initiative.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
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EMR-19

Nova Scotia Offshore Area Petroleum Diving

The Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act provides for the making of Regulations concerning the safety and inspection of all operations, including diving, conducted in connection with the exploration, drilling and production of oil and gas. The proposed Regulations, which will be identical to the Canada Oil and Gas Diving Regulations and the Newfoundland Offshore Area Petroleum Diving Regulations in respect of technical standards and criteria, will establish a comprehensive regulatory regime necessary to ensure the safety of individuals engaged in diving operations in the Nova Scotia offshore area.

As these proposed Regulations impose the same standards as those found in the Canada Oil and Gas Diving Regulations and the Newfoundland Offshore Area Petroleum Diving Regulations, there will be no incremental impact on the petroleum industry.

This initiative appeared in the 1991 Regulatory Plan as 96-COGLA.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
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EMR-20

Nova Scotia Offshore Area Petroleum Drilling

These Regulations are based on similar federal Regulations that were first promulgated in 1979 under the Oil and Gas Production and Conservation Act (OGPCA). They set out the regulatory requirements that operators must follow if they wish to undertake drilling operations in the Nova Scotia offshore. When the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act (C-NSOPRAIA) came into effect in early 1990, the Regulations passed under the authority of the OGPCA were no longer effective in the Nova Scotia offshore area. Therefore, it is necessary to promulgate a version of the Regulations for the Nova Scotia area that provides equivalent safeguards under the C-NSOPRAIA.

As these proposed Regulations impose the same standards as those found in the existing Canada Oil and Gas Drilling Regulations which applied to offshore Nova Scotia since 1979, there will be no incremental impact on the petroleum industry.

This initiative appeared in the 1991 Regulatory Plan as 79-COGLA.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
Tel. (613) 991-2005

EMR-21

Newfoundland Offshore Area Petroleum Production and Conservation

These Regulations establish the minimum requirements for all persons engaged in the development and production of oil and gas in the Newfoundland offshore. The Regulations are concerned with requirements for approvals and authorizations and with data requirements at the development and operations stages when a field is in production. Requirements with regard to conservation of resources, metering and testing of fluids produced from and injected into a well, design and construction of oil and gas processing facilities, production operations, environmental protection, safety and training of personnel and the reporting to the government of production, environmental and safety data are also specified in the Regulations.

As these proposed Regulations impose the same standards as those found in the Canada Oil and Gas Production and Conservation Regulations with which the petroleum industry has complied with those Regulations since 1978, there will be no incremental impact on the petroleum industry.

This initiative appeared in the 1991 Regulatory Plan as 80-COGLA.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
Tel. (613) 991-2005

EMR-22

Nova Scotia Offshore Area Petroleum Production and Conservation

The Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act provides for the making of Regulations respecting safety, conservation practices and the prevention of pollution in operations undertaken for the production of oil and gas. The proposed Regulations will provide specifically for the authorization, regulation and the safety of production operations in the Nova Scotia offshore area and are similar to the Canada Oil and Gas Production and Conservation Regulations and the Newfoundland Offshore Petroleum Production and Conservation Regulations.

Production operations and conservation practices will not be affected when these Regulations are promulgated as the petroleum industry has complied with the Canada Oil and Gas Production and Conservation Regulations since 1978. The Regulations will not generate additional financial costs but will have a positive impact by creating certainty for industry and establishing criteria for development and production.

This initiative appeared in the 1991 Regulatory Plan as 81-COGLA.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Nazareth, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
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EMR-23

Frontier Lands Petroleum Land Division and Survey

The relevant portions of the existing Canada Oil and Gas Land Regulations dealing with land division and survey were prepared on the basis of the 1927 North American Datum pursuant to the Territorial Lands Act and the Public Lands Grants Act. With the creation of a new satellite survey system, North American Datum 1983, which was announced by the Minister of Energy, Mines and Resources in May 1989, more accurate methods of surveying have been developed. New Regulations are being produced to reflect this technological advance.

The proposed Regulations were suggested by the Canadian Petroleum Association and the Independent Petroleum Association of Canada. The industry is in favour of the greater degree of accuracy provided by new surveying methods.

This initiative appeared in the 1991 Regulatory Plan as 93-COGLA. The initiative is the same as INAC-24.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

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EMR-24

Newfoundland Offshore Area Petroleum Land Division and Survey

These proposed Regulations, created pursuant to the Canada-Newfoundland Atlantic Accord Implementation Act, reflect changes in the Frontier Lands Petroleum Land Division and Survey Regulations regarding a new satellite survey system.

The proposed Regulations will be, to the extent the enabling legislation permits, identical to the Frontier Lands Petroleum Land Division and Survey Regulations. The industry is in favour of new surveying methods which will provide a greater degree of accuracy.

This initiative appeared in the 1991 Regulatory Plan as 94-COGLA.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

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EMR-25

Nova Scotia Offshore Area Petroleum Land Division and Survey

These proposed Regulations, created pursuant to the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act, reflect changes in the Frontier Lands Petroleum Land Division and Survey Regulations with reference to a new satellite survey system.

The proposed Regulations will be, to the extent the enabling legislation permits, identical to the Frontier Land Division and Survey Regulations and the Newfoundland Offshore Petroleum Land Division and Survey Regulations. The industry is in favour of new surveying methods which will provide a greater degree of accuracy.

This initiative appeared in the 1991 Regulatory Plan as 95-COGLA.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: H. Dabaghi, Technical Advisor, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4.
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EMR-26

Nova Scotia Offshore Area Petroleum Spills and Debris Liability

The Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act (C-NSOPRAIA) imposes absolute liability, up to "an applicable limit," on an operator for any actual damages incurred as a result of a spill or debris in the area where operations are being conducted. The "applicable limits" are to be prescribed by Regulations. Any loss or damage in excess of the applicable limit is statutorily protected but must be proven in court, both as to the cause and liability and as to the amount. The proposed Regulations will prescribe the applicable limits of absolute liability for those areas where the C-NSOPRAIA applies.

As these proposed Regulations impose the same absolute liability limit as the Canada Oil and Gas Spills and Liability Regulations and the Newfoundland Offshore Area Petroleum Spills and Debris Liability Regulations, there will be no incremental impact on the petroleum industry.

This initiative appeared in the 1991 Regulatory Plan as 97-COGLA.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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EMR-27

Nova Scotia Resources (Ventures) Limited Drilling Assistance

Pursuant to the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act (C-NSOPRAIA), the Minister of Energy, Mines and Resources is authorized to pay up to 25 million dollars to Nova Scotia Resources (Ventures) Limited (NSRVL) in respect of certain Canadian exploration expenses and Canadian development expenses incurred by NSRVL. These Regulations will prescribe the time limits for and the manner of making applications by NSRVL as well as the time limits for and the manner of repayment of overpayments by NSRVL and the interest rate to be charged therein.

These Regulations apply to only one company, NSRVL. The company was involved in the drafting of these Regulations which serve only to put into concrete form the requirements with respect to payments, overpayments and interest.

This initiative appeared in the 1991 Regulatory Plan as 98-COGLA.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: D.R. Whelan, Director General, Frontier Lands Management Branch, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4. Tel. (613) 993-0430

EMR-28

Energuide

This regulatory initiative is intended to continue the Energuide Program which provides consumers with information on the energy requirements of refrigerators, freezers, ranges and ovens, dishwashers, clothes washers and clothes dryers through the energy labelling of these electrical products and through the publication of a directory containing these data. The initiative will also prescribe a redesigned Energuide label and may provide for the energy labelling of some additional consumer products. These Regulations will replace the current Energuide Regulations made pursuant to the Consumer Packaging and Labelling Act.

There will be no significant impact on industry for the six products currently covered by Energuide, but consumers will benefit from the new label which will provide information more effectively. Should the program be extended beyond these six products by this regulatory initiative, manufacturers of newly affected products will need to provide the appropriate reporting and labelling activity and consumers will receive greater assistance in product selection. Manufacturers may also need to arrange for product testing; however, new products selected for the Energuide Program will likely be drawn from products already being tested for energy usage in compliance with Regulations issued by British Columbia and Ontario. By supporting the purchase of more energy efficient products, the program will reduce Canadian demand for energy and thus reduce environmental and security concerns.

This is a new initiative and is conditional upon promulgation of an Energy Efficiency and Alternative Energy Act.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Charles Spelay, Chief, Policy Analysis, Efficiency and Alternative Energy Branch, Energy Sector, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4. Tel. (613) 995-5999

EMR-29

Energy Efficiency Standards

This regulatory initiative will set out minimum energy efficiency levels for residential refrigerators, freezers, electric ranges and ovens, dishwashers, clothes washers, clothes dryers, room and central air conditioners and electrical and oil-fired hot water heaters. It will also stipulate energy efficient ignition design for natural gas ranges and furnaces. This initiative may also provide energy efficient standards for heat pumps, swimming pool heaters, natural gas hot water heaters, oil-fired furnaces and lighting equipment. This initiative is one component of a federal-provincial undertaking to develop and adopt national energy efficiency standards for energy-using equipment but will not be implemented in co-ordination with the provinces.

Removing the most inefficient energy-using products from the market will help moderate the growing demand for energy, and will have environmental and security benefits. Through consultation with industry, provincial governments and the U.S.A., a regulatory system which is consistent across Canada will be established in accordance with Canada's trade obligations and will serve to minimize the cost to industry and consumers. Industry is already complying with Regulations that set out energy efficiency standards for the initial set of products in Ontario and British Columbia.

This is a new initiative and is conditional upon promulgation of an Energy Efficiency and Alternative Energy Act.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Charles Spelay, Chief, Policy Analysis, Efficiency and Alternative Energy Branch, Energy Sector, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4. Tel. (613) 995-5999

EMR-30

Energy Monitoring – 1991 Petroleum Survey

The proposed amendments are necessary to promulgate the questionnaire for the annual Petroleum Monitoring Survey. The information gathered with the questionnaire permits the Petroleum Monitoring Agency to fulfill its statutory duties to monitor and analyse developments related to the petroleum industry – such as production costs, profitability, investments and ownership – in order to provide relevant information to the public policy-making process and for private sector decision making, in addition to informing the public of the industry's financial and economic performance. Proposed amendments to those Regulations are made twice yearly following assessments of the data requirements of government and industry and changes in the regulatory and fiscal environment. These amendments reflect the first half- and the full-year reporting periods specified by the Energy Monitoring Regulations (SOR/83-172).

The proposed amendments would affect either the manner of presentation or the content of the income statement or the corporate balance sheet. The agency expects amendments to simplify data requirements and reduce paper burden.

This recurring initiative appeared in the 1991 Regulatory Plan as 230-EMR.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Blitt, Director, Petroleum Monitoring Agency,
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Tel. (613) 992-6780

EMR-31

Energy Monitoring – First Half 1992 Petroleum Survey

The proposed amendments are necessary to promulgate the questionnaire for the First Half 1992 Petroleum Monitoring Survey. The information gathered with the questionnaire permits the Petroleum Monitoring Agency to fulfill its statutory duties to monitor and analyse developments related to the petroleum industry – such as production costs, profitability, investments and ownership – in order to provide relevant information to the public policy-making process and for private sector decision making, in addition to informing the public of the industry's financial and economic performance. Proposed amendments to those Regulations are made twice yearly following assessments of the data requirements of government and industry and changes in the regulatory and fiscal environment. These amendments reflect the first half- and full-year reporting periods specified by the Energy Monitoring Regulations (SOR/83-172).

The proposed amendments will affect either the manner of presentation or the content of the income statement, the corporate balance sheet, the Income Tax Act related information, or the Exploration Tax Credit information. The agency expects amendments to simplify data requirements and reduce paper burden.

This recurring initiative appeared in the 1991 Regulatory Plan as 231-EMR.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Blitt, Director, Petroleum Monitoring Agency, 580 Booth Street, Ottawa, Ontario, K1A 0E4. Tel. (613) 992-6780

EMR-32

Fees for Explosives Licences and Permits

This amendment to the Explosives Regulations will provide for an adjustment in the fees to be paid for licences and permits that are issued for the manufacture, importation, transportation by road, and storage of explosives. This increase satisfies the requirements of affordability and cost recovery required by the department.

The cost recovery from industry will continue to be less than 0.2 per cent of industry sales and should have little impact.

This recurring initiative appeared in the 1991 Regulatory Plan as 228-EMR.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Shaw, Chief Inspector of Explosives, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4. Tel. (613) 995-8416

EMR-33

Identification of Purchaser of Blasting Explosives

This regulatory initiative is intended to clarify the requirements for the local police in their verification of the identity and domicile address of a purchaser of blasting explosives who is unknown to the vendor.

The revised wording to the Regulation will have no negative impact; rather it will serve to facilitate the consumer's ability to purchase explosives.

This recurring initiative appeared in the 1991 Regulatory Plan as 229-EMR.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Shaw, Chief Inspector of Explosives, Energy, Mines and Resources Canada, 580 Booth Street, Ottawa, Ontario, K1A 0E4 Tel. (613) 995-8416

EMR-34

Lands Surveys Tariff

This tariff sets fees to be charged for copies of maps, plans, field notes and other records or documents related to surveys under the Canada Lands Surveys Act.

The intent of this initiative is to amend fees to reflect the present cost of materials and to provide a charge for services.

Amending the fees for products should have minimal impact. The department is currently charging fees that reflect the cost of production. Increases in fees will be in proportion to increases in production costs.

A study underway within the department may result in fees being charged for survey-related services. It is expected that these fees will be based on the complexity and the size of a survey, and would be a relatively small percentage of the total survey cost.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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Environment Canada

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General Information

Roles and Responsibilities

Environment Canada's statutory mandate is derived from the Government Organization Act, 1970. The Act establishes the powers and duties of the Minister of the Environment.

These include all matters over which Parliament has jurisdiction and that relate to preservation of the natural environment and enhancement of its quality, including water, air and soil quality; conservation of wildlife, including migratory birds and non-domestic flora and fauna; conservation of water resources and enforcement of rules and Regulations arising from the advice of the International Joint Commission relating to boundary waters and questions arising between the United States and Canada which relate to the preservation and enhancement of environmental quality; national and historic parks and monuments; meteorology; and other federal matters relating to the natural environment assigned to the Minister.

The Act also specifies the duties of the Minister in carrying out these responsibilities, including programs to promote adoption of objectives or standards relating to environmental quality and pollution control; mitigate the adverse environmental impact of new federal projects; and provide Canadians with environmental information.

Legislative Mandate

The following legislation is administered by the department:

- Canada Water Act
- Canada Wildlife Act
- Canadian Environmental Protection Act
- Canadian Environment Week Act
- Department of Transport Act, 1970 (Canals)
- Game Export Act

- Heritage Railway Stations Protection Act
- Historic Sites and Monuments Act
- International River Improvement Act
- Migratory Birds Convention Act
- Mingan Archipelago National Park Act
- National Battlefields at Quebec Act
- National Parks Act
- National Wildlife Week Act
- Weather Modification Information Act

Administrative Arrangements

The department administers sections 36 to 42 of the Fisheries Act, on behalf of the Department of Fisheries and Oceans. These provisions contain the general prohibition against deposit of any harmful or deleterious substance into waters frequented by fish and describe regulatory authorities, inspectors' powers, ministerial powers, offences and penalties.

Further, the department has an advisory role for the administration of other legislation for which other federal departments are responsible but where scientific technical advice on environmental impacts is required. Examples of such legislation are:

- Motor Vehicle Safety Act
- Arctic Waters Pollution Prevention Act
- Northern Inland Waters Act
- Pest Control Products Act
- Transportation of Dangerous Goods Act

Environmental Assessment

On 18 June 1990, the House of Commons gave first reading to an Act to establish a federal environmental assessment process. Following parliamentary prorogation, Bill C-78 was re-introduced on 29 May 1991 as Bill C-13. Bill C-13 establishes a rigorous and improved planning and implementation process through which potential environmental impact will be identified and mitigative measures put in place for all projects for which the federal government holds decision-making authority.

The Act sets out the federal government's responsibilities and procedures for the environmental assessment of projects. It specifies the functions of the Minister of the Environment and creates a new agency separate from the department, to advise and assist the Minister in the administration of the environmental assessment process across government. Bill C-13 replaces the Environmental Assessment and Review Process Guidelines Order, 1984.

Regulations will be developed to guide and control the environmental assessment process, pertaining to environmental assessment procedures, public registries and information dissemination, exclusions, comprehensive study list and reports, and statutory and regulatory provisions. Special procedural Regulations will be developed for Crown corporations and harbour commissions, Indian Act lands, domestic financial assistance, natural security, projects outside Canada, offshore boards and international agreements.

Initiatives

EC-1

Export and Import of Hazardous Wastes Regulations

These Regulations will specify conditions for Canadian export and import of hazardous wastes. They will affect all exporters and importers of hazardous wastes and will cover the requirements included in the Basel Convention on the control of transboundary movements of hazardous wastes and their disposal.

There will be some increase in paper burden on exporters, importers and government as they must report on the movement of hazardous waste. One of the benefits of these Regulations will be a greater control on the movement of hazardous waste and therefore less chance for inappropriate disposal.

This initiative appeared in the 1991 Regulatory Plan as 239-EC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Dionne, Co-ordinator, TDGA Program, Waste Management Division, Office of Waste Management, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 997-3378

EC-2

Ocean Dumping Regulations

The Ocean Dumping Regulations will be amended in two stages. The first stage will amend the permit application forms and the fee schedule; the second stage will replace the regulated limits for substances currently on Schedule III, Part I of the Canadian Environmental Protection Act, with environmental quality objectives and guidelines. These will be used in combination with biological assessment protocols prescribed by Regulation.

These amendments will improve the administration of the ocean dumping program by updating the requirements for provision of data for the assessment of the proposed dumping; increasing permit application fees and charging all applicants, including the Crown, for ocean dumping permits; and establishing new environmental assessment procedures which better account for effects on marine environment.

This initiative appeared in the 1991 Regulatory Plan as 244-EC.

Expected Date of Publication: Phase I, Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Karau, Chief, Marine Environment Division, Office of Waste Management, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 953-1699

EC-3

Ozone-Depleting Substances

Regulation 1 (chlorofluorocarbons) will be amended to reflect additional control measures on ozone-depleting substances as agreed by the parties to the Montreal Protocol at their second meeting in London, England, in June 1990. The scope of these Regulations will be extended to include other fully halogenated CFCs.

Regulation 2 (certain bromofluorocarbons) freezes consumption of halons in 1992 to 1986 levels, following the Montreal Protocol on Substances that Deplete the Ozone Layer. These Regulations will be amended to phase out consumption of halons by the year 2000, pursuant to the agreement of the parties to the Montreal Protocol in London.

Regulation 3 (products) will be amended to prohibit the use of CFCs and halons in remaining non-essential uses or where substitutes are available. Application of the Regulation will prohibit the use of CFCs in products such as flexible and rigid foams, car air-conditioners, sterilants and solvents.

Regulation 4 will fulfill Canada's international commitment regarding its consumption of methyl chloroform and carbon tetrachloride as agreed to at the Second Meeting of the Parties to the Montreal Protocol in June 1990.

The overall benefits include the elimination of CFCs and halons in areas where effective and comparably priced substitutes exist and greater control of emissions through capture and recycling. By reducing consumption of ozone-depleting substances, which will lead to reductions in the amount of global ozone depletion, there will be fewer adverse health effects associated with increased ultraviolet radiation, including skin cancers and cataracts. Estimates of the cost of compliance with these Regulations will be reported on when studies are completed.

Regulations 1, 2 and 3 appeared in the 1991 Regulatory Plan as 233-EC. Regulation 4 is a new initiative.

Expected Date of Publication: Amendments to Regulation 1 – Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II. Amendments to Regulation 2 – Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II. Amendments to Regulation 3 – Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II. Regulation 4 – First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: S. Langdeau, Head, Controls Development Section, Commercial Chemicals Branch, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-3249

EC-4

New Substances Notification – Part III – Biotechnology Products

CEPA requires that all substances new to Canada be tested and the findings of these tests reported to the Minister of the Environment before the substances are manufactured or imported. These Regulations will be amended to include information requirements associated with the manufacture or importation of biotechnology products.

This initiative appeared in the 1991 Regulatory Plan as 235-EC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: S. Langdeau, Head, Controls Development Section, Commercial Chemicals Branch, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-3249

EC-5

Confidential Information Disclosure

This Regulation will set out the criteria and manner in which the names of substances may be masked for purposes of publication, when publication of the explicit name of the substance would release confidential business information. The Regulation will ensure that the published masked name is sufficiently specific to enable the general identification of the substance while still preserving the confidentiality of its exact identity.

This Regulation will enable Environment Canada to protect confidential information. Some additional paper burden costs will be incurred by industry to provide the necessary justification for claims of confidentiality.

This initiative appeared in the 1991 Regulatory Plan as 237-EC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: S. Langdeau, Head, Controls Development Section, Commercial Chemicals Branch, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-3249

EC-6

Export of PCB Waste

These Regulations will be amended to accommodate concerns raised by the Standing Joint Committee for the Scrutiny of Regulations respecting the lack of authority under CEPA to regulate the "offer to export."

This amendment will not require consultation with stakeholders.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: A. Dionne, Co-ordinator, TDGA Program, Waste Management Division, Office of Waste Management, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 997-3378

EC-7

Asbestos Mines and Mills Release Regulations

The Regulations will be amended to address the concerns of the Standing Joint Committee for the Scrutiny of Regulations as to the enforceability of certain sections.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: L. Buffa, Chief, Mining, Mineral and Metallurgical Processes Division, Industrial Programs Branch, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-1103

EC-8

Chlor-alkali Mercury Release Regulations

The Regulations will be amended to address the concerns of the Standing Joint Committee for the Scrutiny of Regulations as to the enforceability of certain sections.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: A. Stelzig, A/Chief, Chemical Industries Division, Industrial Programs Branch, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 953-1131

EC-9

Fines and Execution of Orders Proceeds Regulations

These Regulations will allow the proceeds of fines and Orders, imposed by the courts following violations of CEPA, to be distributed to appropriate parties, etc., and to be paid into a fund for conducting research into the ecological use and disposal of the substance in respect of which the offence was committed.

This initiative appeared in the 1990 Regulatory Plan as 191-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: P. Cuillerier, Director, Office of Enforcement, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-1173

EC-10

International River Improvements Regulations

The Regulations established in 1955, were amended in 1987 to meet the concerns raised by the Standing Joint Committee of the Senate and of the House of Commons on Regulations and other Statutory Instruments, because of *ultra vires* aspects of the original Regulations.

The Standing Joint Committee for the Scrutiny of Regulations has accepted most of the 1987 amendments. However, the Committee is of the opinion that certain sections (inspection and information requirement clauses) of the amended Regulations are still *ultra vires* of the International River Improvements Act (IRIA). A minor amendment to the Regulations is therefore, being initiated to address the Joint Committee's concerns.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: E. Park, Water Planning and Management, Conservation and Protection, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 997-2308

EC-11

Migratory Birds – Annual Game Bird Hunting

The Migratory Birds Regulations are amended annually to take into account calendar and other necessary adjustments to season dates, hunting areas, species limitations and bag and possession limits. Adequate population levels of migratory game birds must be maintained so that species do not become threatened or endangered and the annual migratory game bird hunting season can continue. Small businesses such as guide operations and lodges benefit. Because of declining populations of many species of ducks which breed in the Canadian Prairies, it is anticipated that restrictive Regulations will continue to be required to protect these ducks in 1992. Non-toxic shot hunting zones are also designated as required to address concerns about potential poisoning of waterfowl by lead shot pellets which remain in wetlands after the annual hunting season ends. Time constraints necessitate an annual request for exemption from prepublication in Part I of the *Canada Gazette*.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 247-EC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-12

Migratory Birds – General

Amendments will be made to both French and English texts of the Migratory Birds Regulations to respond to concerns raised by the Standing Joint Committee for the Scrutiny of Regulations and to improve the administrative provisions of the Regulations. Amendments may also be made to delete provisions which are no longer considered relevant or necessary. Overall administration and enforcement of the Regulations will be facilitated.

This initiative appeared in the 1991 Regulatory Plan as 250-EC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-13

Migratory Bird Sanctuary – Establishment of Seasonal Restrictions, Île à la Brume Sanctuary

The Migratory Bird Sanctuary Regulations will be amended to prohibit visits to nesting sites of the endangered caspian tern at Île à la Brume Bird Sanctuary from 1 May to 31 July each year.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-14

Migratory Bird Sanctuary – Amendment to Boundary Description, Carillon Island Bird Sanctuary

The Migratory Bird Sanctuary Regulations will be amended to incorporate changes to the description of the sanctuary boundaries. Protection of the resources will be more effectively achieved.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-15

Migratory Bird Sanctuary Regulations – Revocation of Sanctuary Status, Selected Islands

The Migratory Bird Sanctuary Regulations will be amended to revoke the status of seven migratory bird sanctuaries (or parts thereof) located inQuebec – Îles de la Paix, Îles de Kamouraska (Kamouraska Islands), Îles Pèlerins, Îles du Pot à l'Eau-de-Vie (Brandypot), Île Saint-Ours, Île aux Fraises and Île Blanche. Regional habitat and survey staff have determined that the affected areas no longer meet the criteria used to determine their suitability as sanctuaries.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-16

Migratory Bird Sanctuary – General

Amendments will be made to both English and French texts of the Migratory Bird Sanctuary Regulations to respond to concerns raised by the Standing Joint Committee on the Scrutiny of Regulations and to improve the administrative provisions of the Regulations. Amendments may also be made to delete provisions which are no longer considered relevant or necessary. Overall administration and enforcement of the Regulations will be facilitated.

This initiative appeared in the 1991 Regulatory Plan as 253-EC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-17

Wildlife Area Regulations – Addition of Île Mousseau to Îles de Contrecoeur National Wildlife Area

The Wildlife Area Regulations will be amended to add Île Mousseau to Îles de Contrecoeur National Wildlife Area, in the province of Quebec. Île Mousseau is an important waterfowl nesting area which is vulnerable to the effects of recreational activities and development.

This initiative appeared in the 1991 Regulatory Plan as 255-EC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-18

Wildlife Area Regulations – Establishment of Last Mountain Lake National Wildlife Area

The Wildlife Area Regulations will be amended to establish the Last Mountain Lake National Wildlife Area in Saskatchewan. The lands in question surround the Last Mountain Migratory Bird Sanctuary, the oldest wildlife reserve in North America (1887). The lake and surrounding lands are recognized as a key wetland site for migratory birds, including several endangered species.

This initiative appeared in the 1991 Regulatory Plan as 256-EC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-19

Wildlife Area Regulations – General

Amendments will be made to both English and French texts of the Wildlife Area Regulations to respond to concerns raised by the Standing Joint Committee on the Scrutiny of Regulations and to improve the administrative provisions of the Regulations. Amendments may also be made to delete provisions which are no longer considered relevant or necessary. Overall administrative and enforcement of the Regulations will be facilitated.

This initiative appeared in the 1991 Regulatory Plan as 257-EC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Currie, Regulatory Analyst, Migratory Birds and Wildlife Conservation Branch, Canadian Wildlife Service, Environment Canada, Ottawa, Ontario, K1A 0H3.
Tel. (819) 997-1272

EC-20

Fees and Charges for Special Services

By Ministerial Order, the Minister of the Environment will prescribe new fees and increase existing fees and charges paid by persons obtaining special meteorological services, water and land data-services, and the use of special facilities provided by the department. Increases in the costs of providing these services as well as the inclusion of new services, have necessitated these changes.

This initiative appeared in the 1991 Regulatory Plan as 258-EC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Luc Desroches, Departmental Comptroller, Finance and Administration, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 997-1561

EC-21

National Parks – Camping, Entrance, Recreational Facilities and Fishing Fee Adjustments for 1992

New fees may be introduced and existing fees will be increased for entrance to the parks, the use of recreational facilities in the parks and camping and fishing in the parks. This will be done through amendments to the National Parks Camping Regulations, the Camping Fees (Proposed National Parks) Regulations, the National Parks Highway Traffic Regulations, the National Parks General Regulations and the National Parks Fishing Regulations. The nature of the fee changes will depend on the results of a review of the costs and revenues associated with these services.

Fees for these services will increase marginally to take into account the rate of inflation. Any new or amended fees will be based on cost recovery measures for the provision of facilities and services.

This is a recurring initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Gérard Doré, Chief, Legislation and Regulations, National Parks, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-2690

EC-22

National Parks – Development

The National Parks Building Regulations and the National Parks Cottages Regulations will be revoked and three new development-related Regulations will be established to bring building standards up-to-date and into accord with new statutory authorities and terminologies that result from 1988 amendments to the National Parks Act.

The initiative will bring building standards in national parks to levels found elsewhere in Canada.

This initiative appeared in the 1991 Regulatory Plan as 265-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Gérard Doré, Chief, Legislation and Regulations, National Parks, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-2690

EC-23

Regulations Relating to the Proclamation of Gros Morne National Park

At the time of proclamation of Gros Morne National Park in Newfoundland, various Regulations will be amended or established in accordance with the terms of a federal-provincial agreement for the creation of the park.

These include:

1. National Parks General Regulations – amendment to allow local persons to remove sand and gravel for construction purposes, other than for commerce in construction.
2. Gros Morne National Park Snowshoe Hare Domestic Harvest Regulations – new Regulations will be prepared, according to the management plan, to allow for the harvest of snowshoe hares in the park by local residents for domestic purposes.
3. Gros Morne Timber Harvest Regulations – new Regulations will be established, according to the management plan, to provide for the cutting and removal of timber in the park by local residents.
4. Gros Morne Forestry Timber Harvest Regulations will be revoked and the National Parks Timber Regulations will be amended to reflect the changes resulting from the proclamation of Gros Morne as a national park.

These amendments and new Regulations will ensure that existing practices may continue after proclamation of Gros Morne as a national park.

These initiatives appeared in the 1991 Regulatory Plan as 269-EC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Gérard Doré, Chief, Legislation and Regulations, National Parks, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-2690

EC-24

National Parks Fishing – Seasonal Adjustments

Amendments will be made to the National Parks Fishing Regulations to make seasonal adjustments to quotas and open seasons and to extend the Regulations to newly proclaimed parks, if necessary. Other amendments may be initiated to improve the administration or enforcement of the Regulations.

The amendments will update the Regulations to permit the proper management of fish resources in the parks.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 263-EC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992 *Canada Gazette*, Part II

Contact: Gérard Doré, Chief, Legislation and Regulations, National Parks, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-2690

EC-25

National Parks – Highway Traffic

Amendments will be made to both the French and English versions of the National Parks Highway Traffic Regulations to respond to concerns raised by the Standing Joint Committee for the Scrutiny of Regulations and to correct other minor administrative discrepancies.

This initiative is a housekeeping amendment which will improve the administrative provisions of the Regulations.

This is a new initiative

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Gérard Doré, Chief, Legislation and Regulations, National Parks, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-2690

EC-26

National Parks – Grazing

Amendments will be made to both the French and English versions of the National Parks Grazing Regulations to respond to concerns raised by the Standing Joint Committee for the Scrutiny of Regulations.

This amendment will improve the administrative provisions of the Regulations.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Gérard Doré, Chief, Legislation and Regulations, National Parks, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-2690

EC-27

National Parks – Garbage

Amendments will be made to the National Parks Garbage Regulations to establish annual garbage collection fees for Prince Albert National Park in Saskatchewan and in Riding Mountain National Park in Manitoba.

This amendment will accommodate the need to charge for year-round collection of garbage for certain commercial lessees who have recently been granted permission to operate on a year-round basis.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Gérard Doré, Chief, Legislation and Regulations, National Parks, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-2690

EC-28

National Parks – Wildlife

Amendments will be made to the National Parks Wildlife Regulations which will restrict, unless permitted by the superintendent, all types of wildlife calling, such as duck calling, elk bugling and wolf howling. Amendments will also be made to restrict access to certain ungulate habitat ranges without the permission of the superintendent.

These amendments will provide for better wildlife management and regulatory enforceability.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Gérard Doré, Chief, Legislation and Regulations, National Parks, Environment Canada, Ottawa, Ontario, K1A 0H3. Tel. (819) 994-2690

EC-29

Admission Fees to National Historic Sites

In accordance with the departmental cost-recovery policy, admission fees may be extended to selected national historic sites where entry is presently free.

New fees will be based on the level of service provided and will be similar to fees currently charged at the other national historic sites.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemarie Bray, A/Chief, Government Relations and Legislation, Federal Heritage Policy Branch, National Historic Sites Directorate, Canadian Parks Service, Environment Canada, K1A 0H3. Tel. (819) 997-4045

EC-30

Historic Canals

The Historic Canals Regulations will be amended to clarify the powers of the superintendent in order to control certain resource management, recreational and navigation activities on the canals.

This amendment will improve the protection of historic resources and address health and safety concerns. There will be no additional costs to recreational users as a result of this amendment.

This initiative appeared in the 1991 Regulatory Plan as 271-EC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemarie Bray, A/Chief, Government Relations and Legislation, Federal Heritage Policy Branch, National Historic Sites Directorate, Canadian Parks Service, Environment Canada, K1A 0H3. Tel. (819) 997-4045

EC-31

Water Power Regulations

Regulations pertaining to the generation of water power on the historic canals and in the national parks will provide for the licensing of operators and identify the conditions which operators must meet. The existing fee structure for the generation of power will become enforceable by law.

These Regulations will clarify the requirements and conditions for power plant operators and reduce the paper burden associated with obtaining a licence. No additional costs to licensees are associated with the Regulations.

This initiative appeared in the 1991 Regulatory Plan as 272-EC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemarie Bray, A/Chief, Government Relations and Legislation, Federal Heritage Policy Branch, National Historic Sites Directorate, Canadian Parks Service, Environment Canada, K1A 0H3. Tel. (819) 997-4045

EC-32

National Historic Parks Order

As part of the ongoing responsibilities of the National Historic Sites Directorate there will be submissions to create new national historic parks in 1992. Submissions will be put forward when clear title is acquired and the survey work is complete.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 273-EC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemarie Bray, A/Chief, Government Relations and Legislation, Federal Heritage Policy Branch, National Historic Sites Directorate, Canadian Parks Service, Environment Canada, K1A 0H3. Tel. (819) 997-4045

EC-33

Environmental Assessment Procedures

These Regulations will establish the procedures for applying the environmental assessment process set out in the Canadian Environmental Assessment Act.

The Regulations will result in a detailed guide on how to apply the Act, including screening, review panels and joint review panels. They will describe how public registries must be established and operated, and the duties that a responsible authority for a project must perform in advising the public and disseminating information relating to projects and their environmental assessment.

The Regulations will encourage co-operation among federal authorities and avoid duplication of environmental assessment processes. They will also result in clearly defined requirements for responsible authorities and stakeholders and will ensure easy public access to information at all stages of the assessment. The Regulation will be based on the provisions of the Access to Information Act.

This initiative appeared in the 1991 Regulatory Plan as 274-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-34

Exclusion Lists

These Regulations will list those projects or classes of projects known not to pose any risk of harm to the environment or those for which environmental effects are negligible.

The exclusion lists, compiled with public input, will form the basis for streamlining the federal environmental assessment process without compromising environmental standards.

Lists may also be developed for projects or classes of projects that are physical activities, for which an environmental assessment is not required because this would be inappropriate; projects or classes of projects for which an environmental assessment is not required because the contribution of the responsible federal authority to the projects through its powers or performance of its duties is minimal; projects or classes of projects for which an environmental assessment is not required for reasons of national security.

This initiative appeared in the 1991 Regulatory Plan as 275-EC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-35

Comprehensive Environmental Assessment Study List and Report

This Regulation will establish a comprehensive study list as well as procedures for preparing comprehensive study reports. Types of projects that pose a significant risk of harm to the environment will be published in a comprehensive study list and an environmental assessment will be undertaken according to specified procedures, including public consultation, release of information and reporting.

This Regulation will ensure the environmental assessment process is streamlined and efficient. It will confirm that an environmental assessment report is prepared for types of projects likely to have serious environmental effects, or for which there is widespread public concern; otherwise the project will be referred for panel review or mediation.

This initiative appeared in the 1991 Regulatory Plan as 276-EC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-36

Statutory and Regulatory Provisions List

This Regulation will list the provisions of any Act of Parliament or any Regulation made pursuant thereto, that confers powers, duties or functions on federal authorities, the exercise or performance of which requires an environmental assessment.

As a result of this Regulation, projects initiated under certain Statutes and Regulations will be required to be assessed under the provisions of the new Canadian Environmental Assessment Act.

This initiative appeared in the 1991 Regulatory Plan as 277-EC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*. Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200

Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-37

Crown Corporations and Harbour Commissions

Crown corporations listed in Section 85 and Schedule III to the Financial Administration Act, and their majority-owned subsidiaries, and harbour commissions will operate under these Regulations, developed specifically to take into account their particular commercially competitive circumstances.

The Regulations will contain provisions allowing for flexibility of the process, including the use of relevant provincial, territorial or other processes.

The objectives of this initiative are to avoid duplication, as well as undue interference with the competitiveness of corporations, while respecting the principles of the Canadian Environmental Assessment Act. As appropriate, the Regulations will be sensitive to the international trade aspects of projects, will respect the sovereignty of recipient states, and will be consistent with the principles and practice of international law.

This initiative appeared in the 1991 Regulatory Plan as 278-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-38

Indian Act Lands

This Regulation will ensure the environmental assessment of all projects proposed to be carried out on lands reserved for Indians, where First Nations are the primary decision makers.

As a result, the First Nations will not be placed at a competitive disadvantage, and duplication of process with other jurisdictions will be minimized.

This initiative appeared in the 1991 Regulatory Plan as 279-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-39

Domestic Financial Assistance

This Regulation will confirm that all projects which are candidates for federal financial support will be subject to environmental assessment.

The Regulation will address the need to balance environmental costs and benefits against economic costs and benefits, taking into account commercial competitiveness. It will also establish a means by which the environmental assessment process will be undertaken to avoid duplication with provincial processes.

This initiative appeared in the 1991 Regulatory Plan as 280-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-40

National Security

Under the new Canadian Environmental Assessment Act projects relating to matters of national security will normally be subject to an environmental assessment. Where the national security of Canada or its allies could be compromised, the Regulation will limit participation in the assessment process and the availability of information to the public. The environmental assessments of such projects will be made public when they no longer present a risk to national security.

This initiative appeared in the 1991 Regulatory Plan as 281-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Agency, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-41

Projects Outside Canada

This Regulation will adapt the federal environmental assessment process to responsible authorities undertaking projects outside of Canada and any federal lands.

The Regulation will ensure that projects undertaken outside Canada comply with the principles of the Act.

This initiative appeared in the 1991 Regulatory Plan as 282-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-42

Offshore Boards

This Regulation will adapt the federal environmental assessment process to projects carried out by offshore boards which are established by both federal and provincial law. This Regulation will ensure that projects carried out by offshore boards comply with the principles of the Act.

This initiative appeared in the 1991 Regulatory Plan as 283-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-43

International Agreements

This Regulation will adapt the federal environmental assessment process to responsible authorities in respect of projects to be carried out under international agreements or arrangements entered into by the Government of Canada or a federal authority.

It will include projects carried out under various international development assistance programs, primarily the Overseas Development Assistance Program of CIDA. The sovereignty of states will be respected and assessments will be conducted in accordance with the principles and practice of international law. This Regulation will ensure that projects carried out under international agreements comply with the principles of the Act.

This initiative appeared in the 1991 Regulatory Plan as 284-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

EC-44

International Development Assistance

This Regulation will adapt the federal environmental assessment process to responsible authorities with respect to projects to be carried out under international development assistance programs.

The sovereignty of states will be respected and assessments will be conducted in accordance with the principles and practice of international law. This Regulation will ensure, however, that projects carried out under international agreements comply with the principles of the Act.

This initiative appeared in the 1991 Regulatory Plan as 285-EC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1993, *Canada Gazette*, Part II

Contact: Martin Green, Director General, External Relations, Federal Environmental Assessment Review Office, 200 Sacré-Coeur Boulevard, 10th Floor, Fontaine Building, Ottawa, Ontario, K1A 0H3. Tel. (819) 953-7708

External Affairs and International Trade Canada

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General Information

Roles and Responsibilities

External Affairs and International Trade Canada promotes and protects Canadian interests abroad and manages Canada's external relations. Major components of the program are foreign policy priorities and co-ordination; international trade development; international economic, trade and aid policy; political and international security affairs; legal, immigration and consular affairs; communications and culture; bilateral relations and operations; passports; operational support; human resource planning and administration.

Legislative Mandate

The Department of External Affairs and International Trade Canada derives its legislative authority from the Department of External Affairs Act. Passports and other travel documents are issued under the royal prerogative as exercised by the Minister and delegated to officials under the Canadian Passport Order.

In the economic field, the Export and Import Permits Act gives the government the authority to control and monitor the transborder flow of specified goods.

Other enabling legislation governing Canada's international obligations include:

- Diplomatic and Consular Privileges and Immunities Act
- Privileges and Immunities (International Organizations Act)
- United Nations Air Services Act
- Food and Agriculture Organization of the United Nations Act
- International Boundary Waters Treaty Act
- Rainy Lake Watershed Emergency Control
- Roosevelt Campobello International Park Commission Act

Initiatives

EAITC-1

General Import Permits – Textiles and Clothing

The General Import Permits for textiles and clothing (numbers 4 and 10) will be revised to reduce the paper burden for small shipments. Another revision will provide access to the General Import Permits for Canadian made goods returning to Canada.

This initiative appeared in the 1991 Regulatory Plan as 290-EAITC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Louis Gionet, Import Controls Division I (KPT), Export and Import Permits Bureau, External Affairs and International Trade Canada, Ottawa, Ontario, K1N 9K6.
Tel. (613) 995-8367

EAITC-2

Import Control List – Harmonized System

In 1988, Canada adopted the Harmonized Commodity Description and Coding System (HS). The adoption of the HS has made it necessary to revise the Import Control List for textiles and clothing, to conform with the different coding structure found in the HS. This revision is scheduled to become effective 1 January 1993.

This initiative appeared in the 1991 Regulatory Plan as 287-EAITC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Greig Lund, Import Controls Division I (KPT), Export and Import Permits Bureau, External Affairs and International Trade Canada, Ottawa, Ontario, K1N 9K6.
Tel. (613) 996-5775

EAITC-3

Import Control List – Textiles and Clothing

Canada has bilateral restraint arrangements with various low-cost sources of textiles and clothing. Many of these arrangements are scheduled to expire on 31 December 1992. It is anticipated that they will either be renewed or be superseded by an alternative restraint system. As a result, goods included on the Import Control List pursuant to bilateral restraint arrangements will be renewed or deleted from the List to implement the restraint system in operation at that time.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 288-EAITC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Jean Saint-Jacques, Import Controls Division I (KPT), Export and Import Permits Bureau, External Affairs and International Trade Canada, Ottawa, Ontario, K1N 9K6.
Tel. (613) 996-3711

EAITC-4

General Export Permits

This regulatory initiative is intended to address amendments to existing General Export Permits (GEP) to be consistent with changes being made to the Export Control List in 1992.

These changes will amend current Regulations to help streamline the export control process for the benefit of the Canadian exporting community.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Thomas E. Jones, Deputy Director (Technology), Export Controls Division (KPE), External Affairs and International Trade Canada, Ottawa, Ontario, K1N 9K6. Tel. (613) 996-0197

EAITC-5

Export Control List

This regulatory initiative is intended to address amendments to the national and international export controls as detailed in the Export Control List of August 1990.

These changes will result in a new Export Control List covering Canada's bilateral and multilateral international agreements, particularly in light of significant changes made in COCOM.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Thomas E. Jones, Deputy Director (Technology), Export Controls Division (KPE), External Affairs and International Trade Canada, Ottawa, Ontario, K1N 9K6. Tel. (613) 996-0197

EAITC-6

Passport Services Fees Regulations

Under the authority of Section 19 of the Financial Administration Act, the Passport Services Fees Regulations prescribe the fees for various passport services. The amendment to increase the fees for the issuance of passports and travel documents is required to recover fully the total costs of providing services in Canada and abroad.

Last amendment to the Passport Services Fees Regulations was effective 1 January 1988.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R.J. MacPhee, Chief Operating Officer, Passport Office, External Affairs and International Trade Canada, Ottawa, Ontario, K1A 0G3. Tel. (819) 994-3530

EAITC-7

Privileges and Immunities Order

The Government of Canada is host each year to a number of international meetings and conferences. As host country Canada is obliged to grant privileges and immunities to the organizers and participants in these meetings to such extent as they may be required for the exercise of their functions. Such Orders are for the benefit of foreign representatives attending those international conferences, and we anticipate no impact on any of the sectors of the Canadian economy.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 292-EAITC.

Expected Date of Publication: Various dates in 1992

Contact: D.W. Smith, Director, Legal Advisory Division, External Affairs and International Trade Canada, Ottawa, Ontario K1N 9K6. Tel. (613) 992-6292

EAITC-8

Technical Assistance Regulation (TAR)

The Technical Assistance Regulation (TAR) authorizes the Canadian International Development Agency (CIDA) to pay expenses and benefits to Third World recipients of CIDA training awards and to Canadian co-operants sent to developing countries under CIDA contract.

CIDA is seeking means to clarify and simplify the TAR. Various points agreed on within the Agency and with the Treasury Board Secretariat are being integrated into the TAR in the form of amendments.

The Treasury Board and the Governor in Council approved the first two amendments in August 1991. CIDA will submit the remaining amendments within the next few months. The result will allow CIDA to respond more efficiently to the changing needs of the developing countries and to CIDA projects in those countries.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Linda Cloutier, Policy Analyst, Technical Assistance Policies, Professional Services Branch, Canadian International Development Agency, 200 Promenade du Portage, Hull, Quebec, K1A 0G4. Tel. (819) 994-0059

Fisheries and Oceans

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General Information

Roles and Responsibilities

The major responsibilities of the Department of Fisheries and Oceans include fisheries management and research in coastal and certain inland waters, fisheries economic development and marketing, fish inspection, international fisheries negotiations, oceanographic research, hydrographic surveying and charting, and the development and administration of fishing and recreational harbours, in all parts of Canada.

The federal government, under Section 91(12) of the British North America Act, has exclusive legislative jurisdiction over Canada's fisheries in coastal and inland waters. Fisheries and Oceans is fully responsible for the management of all fisheries, both marine and freshwater. The administration and enforcement of fisheries legislation has been delegated, in varying degrees, to the provinces of Quebec, Ontario, Manitoba, Saskatchewan, Alberta and British Columbia. In British Columbia, the fisheries for marine and anadromous species (i.e., fish that migrate from freshwater to sea) are managed by the federal government, while the provincial government administers the regulation of freshwater fisheries. In Quebec, all freshwater, anadromous and catadromous (eels) species are dealt with by the provincial government, with the remaining marine species being the responsibility of the federal authorities. In the Prairie provinces and Ontario, the provinces administer the regulation of all freshwater fisheries within their respective boundaries.

The main legislative authority of the department is the Fisheries Act. Under this Act, Regulations are established to control such matters as the timing, length and scope of fishing seasons, the type of harvesting equipment that may be used, catch quotas, protection of fish habitat and poaching.

Another important piece of legislation for which Fisheries and Oceans is responsible is the Fish Inspection Act. Regulations made under this Act ensure that the harvesting and processing of fish is conducted under approved hygienic conditions for the protection of the consumer. The inspection of fish and fishery products for trade outside provincial boundaries is undertaken by the federal government in all areas of Canada. Inspectors are also responsible for checking that all imported fish products comply with established standards.

Legislative Mandate

The following legislation is administered by the Department of Fisheries and Oceans:

- Atlantic Fisheries Restructuring Act
- Coastal Fisheries Protection Act
- Fish Inspection Act
- Fisheries Act
- Fisheries Development Act
- Fisheries Improvement Loans Act
- Fisheries Prices Support Act
- Fisheries and Oceans Research Advisory Council Act
- Fishing and Recreational Harbours Act
- Freshwater Fish Marketing Act
- Great Lakes Fisheries Convention Act
- North Pacific Fisheries Convention Act
- Northern Pacific Halibut Fisheries Convention Act
- Pacific Fur Seals Convention Act
- Saltfish Act
- Territorial Sea and Fishing Zones Act

Initiatives

Various Regulations

F&O-1

Review and Consolidation of Various Regulations

In 1987, the Department of Fisheries and Oceans undertook a major review of all Regulations made under the Fisheries Act, other than those administered by the freshwater provinces. The purpose was to simplify and reduce the volume of Regulations.

As a result of that review, 17 sets of Regulations will be consolidated into four new sets of Regulations as follows:

Fishery (General) Regulations: Will provide for general administrative Regulations applicable to tidal waters, the Atlantic provinces, British Columbia, Yukon and the Northwest Territories, such as variation powers, fishermen and vessel registration, handling of licences and registrations, and fishing-vessel and fishing-gear marking. The Penalties and Forfeitures Proceeds Regulations and the Fishways Obstruction Removal Regulations will also be incorporated into the Regulations.

Maritime Provinces Fishery Regulations: Consolidate the New Brunswick, Nova Scotia and Prince Edward Island Fishery Regulations and the New Brunswick and Nova Scotia Tidal Waters Boundaries Orders.

Pacific Fishery Regulations, 1991: Consolidate the British Columbia Fishery (General) Regulations, Pacific Fishery Regulations, 1984, Pacific Commercial Salmon Fishery Regulations, Pacific Herring Fishery Regulations, Pacific Shellfish Regulations and Pacific Coast Marine Plant Regulations, and those portions of the Tuna Fishery Regulations applicable to the Pacific Ocean.

Marine Mammal Regulations: Consolidate the Beluga Protection Regulations, Cetacean Protection Regulations, Narwhal Protection Regulations, Seal Protection Regulations and Walrus Protection Regulations.

In addition to the revocation of 17 sets of Regulations, amendment to the following Regulations will be required:

- Atlantic Fishery Regulations, 1985
- British Columbia Sport Fishing Regulations
- Foreign Vessel Fishing Regulations
- Newfoundland Fishery Regulations
- Northwest Territories Fishery Regulations
- Pacific Fishery Management Area Regulations
- Yukon Territory Fishery Regulations

Seventeen sets of Regulations will be reduced to four sets with an estimated 30 per cent reduction in volume. This will result in simplification of the Regulations, and the revocation of unenforceable, redundant and outdated provisions. It will also facilitate enforcement and the administration of justice.

This initiative appeared in the 1991 Regulatory Plan as 295-F&O.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: D.J. Denny, Chief, Regulatory Policy and Analysis, Regulations and Enforcement Branch, Department of

Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0110

F&O-2

Revision of Prescribed Fines for Ticketable Offences

One of the recent amendments to the Fisheries Act was an increase in the maximum fine level for ticketable offences from $100 to $1000. The Regulations made under the Act will be reviewed to determine whether any of the existing fines should be increased and whether any of the more serious offences should be added to the lists of ticketable offences.

The Regulations will be more efficiently enforced if a wider range of offences is covered by set fines. Enforcement staff will be able to use their time more productively by issuing tickets for certain offences rather than having to take cases to court. This will result in cost savings to the department and will ease the burden on the court system. There will be no impact on the law-abiding public.

This proposal appeared in the 1991 Regulatory Plan as 296-F&O.

Expected Date of Publication: Various dates, depending on when the review of each Regulation is completed

Contact: D.J. Denny, Chief, Regulatory Policy and Analysis, Regulations and Enforcement Branch, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0110

F&O-3

Fisheries Data Reporting and Record-Keeping

Regulatory amendments are proposed to specify the fisheries data reporting and record-keeping responsibilities of participants in the fishing industry in accordance with recent amendments to the Fisheries Act. The obligation to report information on catch, fishing and processing activities as well as the requirement to keep commercial records of such activities will be clarified. The information that participants will be required to report to the department will not differ significantly from current requirements. While there is a new requirement under the Fisheries Act to keep commercial records, these records are not expected to differ from the records a commercial operation is already obliged to keep for other purposes.

These amendments to the Regulations will provide positive benefits to Canadians and especially to the fishermen, companies and plantworkers that depend on Canadian fish resources. The clarification of the reporting and record-keeping responsibilities will help improve the reliability and timeliness of fisheries data used for scientific stock assessment and resource management operations. This will help improve the ability of the department to conserve renewable fish resources. These changes will not cause a significant increase in data reporting or record-keeping activities.

This proposal appeared in the 1991 Regulatory Plan as 297-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Marshall Moffat, Director, Economic Analysis and Statistics, Policy and Program Planning, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 993-1909

Alberta Fishery Regulations

F&O-4

Fish Management Initiatives

The proposed amendments to the Regulations will introduce elements to allow new seasons, quotas, size limits and bait restrictions to be applied to specific lakes and streams in Alberta. These proposals provide flexibility in controlling harvests of fish, are in keeping with management strategies, and enhance the productivity and viability of fish populations. Long-term benefits to resource users are expected.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Deryl J. Empson, Assistant Director, Enforcement Services Branch, Fish and Wildlife Division, Department of Forestry, Lands and Wildlife, Main Floor North Tower, Petroleum Plaza, 9945-108 Street, Edmonton, Alberta, T5K 2G6. Tel. (403) 427-8205

Atlantic Fishery Regulations, 1985

F&O-5

Access to Silver Hake and Squid Outside the Silver Hake Box

The current Regulations limit silver hake and squid fishing to an offshore area known as the Silver Hake Box. The purpose of the proposed amendment is to provide an exemption to this Regulation for mobile-gear vessels of less than 65 feet in length overall. This would allow these smaller vessels to develop new silver hake and squid fisheries and diversify their operations away from traditional groundfish fisheries which are less available to them.

During the past two years, the department implemented an experimental program which allowed certain smaller vessels to fish for silver hake and squid in waters closer to shore. This was part of a larger initiative directed at developing new fishing and economic opportunities for the smaller vessels which currently are totally dependent on the traditional groundfish stocks of cod, haddock and pollock.

The amendment will involve no additional costs for the department or for participating fishermen.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Management Branch, Department of Fisheries and Oceans, P.O. Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-6

Protection of Juvenile Cod Areas

Studies conducted by the Canadian Atlantic Fisheries Scientific Committee have identified zones where very small cod congregate in large numbers throughout the year. Currently, any person holding a licence to fish for groundfish in the Gulf of St. Lawrence may fish in this area. It would not take much fishing effort to destroy the fish in the identified zones. Therefore, the objective of the proposed amendment is to prohibit permanently the use of mobile gear in the identified zones when fishing for groundfish.

Fishermen will not incur any additional costs as a result of this amendment. Unnecessary exploration costs will be avoided. In the medium term, the amendment will contribute to the repopulation of cod stocks. It should therefore have a positive impact on fishing yields.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

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F&O-7

Gutting of Groundfish at Sea

The Scotian Shelf groundfish fisheries are currently being over harvested. The fishery management problem for these fisheries has been to protect the resources from over exploitation, while at the same time maximizing fishing opportunities for fishermen and improving the quality of the catch. This initiative will help to protect resources by slowing down the harvesting rate and should extend the period fishermen can conduct fishing operations during the year. It also should help improve the quality of the overall groundfish harvest by encouraging fishermen to gut their catches at sea rather than landing them in the round state.

The gutting of groundfish at sea will not be mandatory. This initiative is one of a series of management measures being considered to address overfishing and overcapacity problems now endemic in many Atlantic groundfish fisheries. The initiative is being tabled in consultation meetings taking place throughout the Atlantic region and has been receiving industry, fishermen and government support. The meetings are determining (quantifying and qualifying) the biological, social and economic impacts associated with its implementation.

This proposal appeared in the 1991 Regulatory Plan as 299-F&O.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

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F&O-8

Lumpfish Fishery

The proposed Regulation will introduce a fishing season and minimum mesh size for the taking of lumpfish. (At present there is no fishing season and only a general mesh size for groundfish.) The lumpfish fishery is carried out only for roe production. The proposed measures are designed for the conservation and protection of the lumpfish stock. The minimum mesh size will provide for the escape of smaller fish from nets and will reduce mortalities of adult fish where roe content is marginal and unacceptable to the market place.

This proposal will have the beneficial effect of conserving and rebuilding the stock. It will affect the incomes of those fishermen who take lumpfish when the roe content is marginal. Any reduction in income should be minor and will be an acceptable price to pay for improved conservation.

This proposal appeared in the 1991 Regulatory Plan as 300-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

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F&O-9

Gill-Net Fishing Areas

Recent court cases and administrative realities have determined that Fisheries and Oceans should not regulate gill-net fishermen solely on the basis of their home-port locations. Therefore, Scotia-Fundy regional staff intend to license groundfish gill-net fishermen on an individual basis for certain defined fishing areas. The regulatory proposal will create up to seven gill-net fishing areas within the region. Once the gill-net areas are set in Regulations, fishermen will be issued licences which identify the areas where they are eligible to fish.

Impact on the fishing industry will be minimal. Groundfish gill-net closures have been in place for several years. This amendment will redefine these closures and remove all reference to home port. The general public is not affected.

This proposal appeared in the 1991 Regulatory Plan as 302-F&O.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Branch, Department of Fisheries and Oceans, P.O. Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-10

Fixed-Gear Locating Devices

Fishermen using mobile gear (trawlers) and fishermen using fixed gear (gill nets, longlining) have been in conflict for many years. Trawlers are active in the same areas as fixed-gear fishermen when searching for groundfish, especially cod and flounder. Set nets and other fixed fishing gear are identified by simple buoys which are difficult for trawlers to locate by radar, especially in bad weather. Considerable damage is caused to gill nets when trawlers pass through areas where they are located and inadvertently displace them from their position on the ocean floor. It is therefore proposed that fishermen using fixed gear be required to identify each end of their gear, or at least one end, with location devices commonly known as radar reflectors. This equipment, which consists of a wooden pole propped on a buoy, affixed with a metal "star," greatly enhances the visibility of fixed fishing gear on trawler radar screens.

The use of this equipment will undoubtedly reduce the damage to fixed fishing gear and consequently, improve relations between the two groups of fishermen (trawlers and set nets). It may also help to reduce the number of cases being litigated before the courts.

This proposal appeared in the 1991 Regulatory Plan as 319-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Richard Thibodeau, Chief, Enforcement and Regulations Division, Fisheries Management and Habitat Branch, Department of Fisheries and Oceans, 901 Cap Diamant, Quebec, Quebec, G1K 7Y7. Tel. (418) 648-5886

F&O-11

Licensing of Shark Fishing Vessels

The proposed Regulation will provide for the management and control of all Atlantic shark species (e.g., porbeagle, mako, blue, etc.) taken in the Convention Area waters. Currently, except for dogfish sharks, there are no regulatory control measures for shark fishing on the Atlantic coast. Dogfish sharks are considered as groundfish species for fishery management purposes and are already subject to the provisions of the Regulations. The new Regulation will require persons wanting to fish for sharks to be registered and licensed.

By controlling and limiting the number of potential shark fishermen, the shark fishery could develop into an important economic activity in the future. The Regulation will not involve any additional or unanticipated costs for either the department or involved fishermen.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Management Branch, Department of Fisheries and Oceans, P.O. Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-12

Identification Markings on Shellfish Traps

Fishermen are required to mark their fishing gear for identification purposes. Current gear-marking requirements are that the vessel registration number must be a minimum of 75 mm in height, painted on or otherwise affixed to a tag or float attached to shellfish traps. This is often too large to mark on the type of buoys used in the shellfish fisheries in Atlantic Canada. It is proposed to reduce the required minimum height of the numbers or characters to 25 mm for the marking of traps used in these fisheries.

The impact of this initiative will be positive. Those markings which meet current requirements will still be legal, while new or changed markings will be easier to affix to the gear, due to the reduced size requirement.

This proposal appeared in the 1991 Regulatory Plan as 303-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

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F&O-13

Prohibition on the Retention of Soft-Shelled Crab

It is proposed to prohibit the retention of soft-shelled (recently-moulted) crab. These crab are generally in a weakened condition and often die before reaching land for processing. Since it is illegal to process dead crab, the dead soft-shelled crab is wasted. If the crab was returned to the water, it could be harvested when it is no longer soft-shelled. The harvesting and retention of this crab are having a detrimental impact on the resource. Since mainly larger males are harvested, this may have a negative impact on the future fecundity of the female crab population.

There will be both positive and negative impacts on Canadians. Canada will, as a result of harvesting only hard-shelled crab, produce a better quality product for world markets. In addition, there will be benefits derived from increased stability in the crab resource. On the negative side, there will be a need for increased surveillance and enforcement to administer the Regulation. The fishermen will have to sort the catch at sea and return soft-shelled crab to the water.

This proposal appeared in the 1991 Regulatory Plan as 305-F&O.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

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F&O-14

Permanent Tagging of Crab Traps

Every year, a large number of unmarked crab traps are seized by the Department of Fisheries and Oceans. The recent depressed state of landings of snow crabs in the Gulf of St. Lawrence is due partly to the practice of fishing with more traps than are allowed by the Regulations, and some of these unmarked traps are involved. To ensure standardization of the traps and to control their numbers, the department has established an annual tagging system using self-locking plastic tags. These tags, which are easily destroyed, either deliberately or accidentally, are costly to distribute and replace over the course of the fishing season, and they do not provide an adequate system of control. The proposed amendment would greatly reduce the problem of illegal traps by introducing an indestructible permanent tag for crab traps and by prohibiting the possession of crab traps which do not have the new tags.

This amendment is expected to reduce the use of illegal traps through a more foolproof control system, as well as to ensure better surveillance of fishing effort and consequently to preserve the medium- and long-term viability of the fishery. There will be minimal negative impact on fishermen. The increase in the cost of crab traps will be marginal and the permanent tagging scheme will not have any impact on administrative costs to fishermen. Furthermore, these changes may help to reduce the theft of traps, thereby protecting the property of fishermen.

This initiative appeared in the 1991 Regulatory Plan as 306-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Richard Thibodeau, Chief, Enforcement and Regulations Division, Fisheries Management and Habitat Branch, Department of Fisheries and Oceans, 901 Cap Diamant, Quebec, Quebec, G1K 7Y7. Tel. (418) 648-5886

F&O-15

Realignment of Crab Fishing Area 24

The proposed Regulation will provide for Crab Fishing Area 24 to be divided into two crab fishing areas. Area 24 includes the waters extending south from Cape Breton Island around the coast of Nova Scotia, including the Bay of Fundy. A new line located very close to the line between NAFO Divisions 4X and 4W (near Halifax, Nova Scotia) would divide the area in two. The exact co-ordinates will be finalized in consultation with the fishing industry.

The purpose of the Regulation is to facilitate development and implementation of separate crabfishing management plans for the different existing crabfishery resources on the Scotian Shelf. Snow crab stocks are presently found only in the eastern portion of Area 24 and fishing operations have been intensifying. In addition, fishery management efforts are proceeding towards the development of other crab species in Area 24. The Regulation will allow for separate management plans in smaller areas that more accurately reflect traditional fishing patterns.

The new Regulation will involve no significant costs for the department and no costs for present and future crab fishermen. The benefits of the Regulation will be that existing and developing crab fisheries in Area 24 can be made subject to different management plans.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Management Branch, Department of Fisheries and Oceans, P.O. Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-16

Biodegradable Mechanisms on Snow Crab Traps

Snow crab fishing is carried out using traps mounted with openings which make it practically impossible for crabs entering the trap to escape. In addition, the polypropylene netting covering the trap can resist up to five years of continuous immersion in water before disintegrating. Each year, thousands of traps are lost; these traps can continue to catch crab for many years and are responsible for a significant loss of this resource. The proposed amendment would make it mandatory for fishermen to use traps equipped with a standard escape mechanism which would trigger the opening of the net panels after a specified period of time. Crabs caught in lost traps would then be able to escape and survive.

The implementation of this new initiative will reduce the number of crabs killed by lost traps which continue to catch crab for a long time. The reduced mortality rate will result in increased catches of snow crab. Fishermen, fish plant representatives and fisheries managers all agree that the proposed amendment would have a positive impact on this resource, while costs would be minimal.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Pierre Couillard, Senior Advisor, Shellfish and Molluscs, Fisheries Management and Habitat Branch, Department of Fisheries and Oceans, 901 Cap Diamant, Quebec, Quebec, G1K 7Y7. Tel. (418) 648-2564

F&O-17

Landing Lobster and Crab During Trap Setting Period

The proposed amendment will establish a period when only the setting of lobster and snow crab traps will be allowed; during this period, landing of catches will be prohibited. The setting period will vary with the species and fishing area. The current Regulations do not allow the department to authorize only the setting of traps, and to prohibit fishing, during a pre-established period.

This measure will improve the orderly management of these fisheries. Enforcement of this amendment will not entail any additional expense on the government's part, because fishery officers will be able to monitor compliance during their regular inspection duties. This measure will not entail additional expenses for fishermen or reduce their catches or income. The principle underlying this measure is widely supported by fishermen, and it is already being voluntarily applied in some fisheries following consultation with the industry.

This proposal appeared in the 1991 Regulatory Plan as 304-F&O.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Branch, Department of Fisheries and Oceans, P.O. Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-18

Lobster Fishing Areas 16 and 18 Boundary

A small part of Lobster Fishing Area 18 is accessible only to fishermen from Lobster Fishing Area 16, and it is proposed to move the boundary between these two areas to include this part in Area 16 to suit traditional fishing patterns better. Regulatory changes to the current boundaries are required if these proposals are to be implemented. This request comes from the industry and the fishermen's associations, all of which fully support this change.

This proposal amends number 307-DFO which appeared in the 1991 Regulatory Plan.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Pierre Couillard, Senior Advisor, Shellfish and Molluscs, Fishery Management and Habitat Division, Department of Fisheries and Oceans, 901, Cap Diamant, Quebec City, Quebec, G1K 7Y7. Tel. (418) 648-2564

F&O-19

Lobster Fishing Areas 19, 20a, 20b and 21 – Minimum Carapace Size

Under the proposed amendment, the minimum legal lobster carapace size would be increased by 1/16th of an inch in the Gaspé lobster fishing areas in 1991. The minimum carapace size would increase from 76 mm (3 inches) to 78 mm (3 1/16 inches). Depending on the results of the fishery following this increase, the minimum size might be increased further, depending on the willingness of the industry. The Gaspé lobster industry faces strong competition from other regions where the legal size is the same or smaller, which results in lower prices paid for Gaspé lobster. The industry is seeking a segment of the market that would make it more competitive by increasing the legal size of lobster harvested along the shores of the Gaspé peninsula. The fishermen approve of this measure, which should enable them to get a better price for their catches.

At first, landing and net receipts will be slightly lower than usual. However, in the long term, the increase in the minimum legal size will mean a higher value of lobster and greater spawn production, which will lead to significantly larger landings in the years to come, while improving the stock's long-term stability. This request comes from the producers and the fishermen's associations, all of which fully support this initiative.

This proposal appeared in the 1991 Regulatory Plan as 308-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Pierre Couillard, Senior Advisor, Shellfish and Molluscs, Fishery Management and Habitat Division, Department of Fisheries and Oceans, 901, Cap Diamant, Quebec City, Quebec, G1K 7Y7. Tel. (418) 648-2564

F&O-20

Lobster Fishing Area 25

The proposed amendment would change the lobster line co-ordinates at North Point, Prince Edward Island, at the boundary between lobster fishing areas 24 and 25. The co-ordinates had been based on the North Point Light which some years ago was moved 500 yards from its original site. New co-ordinates were established in the Regulations at that time to accommodate the new position of the light. The requested amendment will create new co-ordinates in line with a survey of the area.

This change is at the request of the industry and will not affect the public. There will be a positive impact on the fishermen who will gain back lucrative lobster grounds and a negative impact on those who will lose these grounds from their fishing area. There will be no additional costs to the department or to the industry.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Peter Zahrndt, Chief, Conservation and Protection Division, Department of Fisheries and Oceans, P.O. Box 1236, Charlottetown, Prince Edward Island, C1A 7M8. Tel. (902) 566-7812

F&O-21

Description of the Limits of Grande-Entrée Lagoon

The exact limits of Grande-Entrée Lagoon (Îles-de-la-Madeleine) are not known since it emerges into the Grande-Entrée Channel. To avoid arbitrary interpretations of the lagoon's limits, this proposal would delimit the lagoon by drawing a straight line between the end of the Grande-Entrée dock and a point located at 4734.25'N., 6133.94'W.

Since the Grande-Entrée Lagoon is a lobster sanctuary closed to commercial fishing, defining its limits precisely will make it possible to prohibit commercial fishermen from using their lobster traps in this area during the lobster season. No negative impact is anticipated since this measure will simply perpetuate what is already an accepted practice.

This proposal appeared in the 1991 Regulatory Plan as 312-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Albert Cyr, Senior Fishery Officer, Enforcement and Regulations Division, Fisheries Management and Habitat Branch, Department of Fisheries and Oceans, P.O. Box 1058, Cap-aux-Meules, Îles-de-la-Madeleine, Quebec, G0B 1B0. Tel. (418) 986-2095

F&O-22

Scallop Harvesting/Conservation Areas in the Bay of Fundy

This regulatory initiative establishes in the Atlantic Fishery Regulations, 1985, four additional Bay of Fundy scallop harvesting/conservation areas. The initiative places the last of the negotiated management provisions of the 1986 Scotia-Fundy Region Inshore/Offshore Scallop Fisheries Accord into the current regulatory framework.

At the present time, the scallop harvesting/conservation areas are defined and imposed each year by means of licence conditions. This initiative eliminates the annual need for such licence conditions and puts the current scallop management approach in the Bay of Fundy on a longer-term basis.

The cost of this initiative to the public, concerned scallop fishermen and the federal government is insignificant. All the proposed areas are already in place and are being enforced by licence conditions.

This proposal appeared in the 1991 Regulatory Plan as 313-F&O.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Branch, Department of Fisheries and Oceans, P.O. Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-23

Scallop Fishing Area 16 – Subareas and Boundary with Areas 15 and 18

Since 1986, Scallop Fishing Area 16 has been divided into subareas through licence conditions. This arrangement was introduced to ensure that all potential fishing sites on Quebec's North Shore would be used. Fishermen's associations and the fishing industry have strongly recommended retaining these divisions. Some of these smaller areas could support a larger fishery, while others would benefit from a reduced fishery. By establishing these subareas in Regulations, seasons could be set to suit the specific requirements of each one. Moreover, a small part of Scallop Fishing Area 16 is accessible only to fishermen from Scallop Fishing Area 15, and it is proposed to move the boundary between these two areas to include this part in Area 15 to suit traditional fishing patterns better. Finally, the boundaries of Area 18 (Anticosti Island) would be modified to include the northern portion of this area in one of the subareas of Area 16. Regulatory changes to the current boundaries are required if these proposals are to be implemented.

This request comes from the industry and the fishermen's associations, all of which fully support these changes. The subdivision of Area 16 in the Regulations will not change the status quo, since this is already done by licence conditions but will give added flexibility to the management of the resource through fishing seasons. This proposal would be viewed as a positive measure by the department to control fishing activities, thereby protecting this important resource and ensuring a fair share for all the fishermen.

This proposal appeared in the 1991 Regulatory Plan as 314-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Pierre Couillard, Senior Adviser, Shellfish, Fishery Management and Habitat Division, Department of Fisheries and Oceans, 901, Cap Diamant, Quebec City, Quebec, G1K 7Y7. Tel. (418) 648-2564

F&O-24

Prohibit Carrying Scallop Fishing Gear in Closed Areas

The current Regulations permit carrying scallop gear on board a vessel, in closed areas and during closed times for scallop fishing, provided that the gear is unshackled and stowed. This makes it easier for vessels transiting closed scallop fishing areas which cannot be avoided, on their way to port from open scallop fishing areas. There are areas for which certain closures apply, such as Georges Bank, where vessels, licensed for scallops but fishing for other species, maintain their scallop gear on board, unshackled and stowed. However, this gear can be quickly rigged for scallop fishing as soon as enforcement personnel are not visible. This amendment will significantly curb such activity by absolutely prohibiting the carrying of scallop gear on board in certain areas closed to scallop fishing.

No negative impact is anticipated for fishermen fishing in conformity with the Regulations pertaining to closed scallop fishing areas. Less costly and more effective enforcement will result in dealing with those seeking access to closed scallop fishing areas under the pretence of fishing for other species.

This proposal appeared in the 1991 Regulatory Plan as 315-F&O.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Branch, Department of Fisheries and Oceans, P.O. Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-25

Recreational Scallop Fishing Catch Limits

The current Regulation allows recreational scallop fishermen to harvest 100 scallops per day. Some persons, when found to be in possession of more than 100 scallops in a scallop fishing area, claim that their fishery took place over several days, thereby making it difficult to enforce the daily bag limit. The proposed amendment will limit a licence holder to the possession of 100 scallops while operating under a recreational scallop fishing licence within a scallop fishing area.

There will be positive impacts on the scallop resource as a result of this proposed amendment. Fishery officers will be able to enforce the daily limit more effectively which will have a positive effect on conservation.

This proposal appeared in the 1991 Regulatory Plan as 316-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Branch, Department of Fisheries and Oceans, P.O. Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-26

Conservation Measures for Clams

A fishing licence is required for the commercial harvesting of certain clam species in some areas of Atlantic Canada. This measure helps to control the overharvesting of these species. It is proposed to establish a licence requirement for other species which are presently unregulated.

This amendment will allow better control over the harvesting of clams, which will protect the resource in the long term. There will be a slight impact on persons harvesting clams which are currently unregulated, as they will have to obtain a licence.

This proposal appeared in the 1991 Regulatory Plan as 317-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Pierre Couillard, Senior Advisor, Shellfish and Molluscs, Resource Allocation Division, Fisheries Management and Habitat Branch, Department of Fisheries and Oceans, 901 Cap Diamant, Quebec, Quebec, G1K 7Y7. Tel. (418) 648-2564

F&O-27

Possession Limit on Bar Clams and Quahaugs

This proposed Regulation would establish a limit of 50 bar clams and 50 quahaugs in the counties in Nova Scotia bordering the Gulf of St. Lawrence. These counties are the main bar clam and quahaug fishing areas within the province and are heavily fished.

This proposal has been recommended by the shellfish industry which feels drastic steps must be taken to save this fishery. There will be some negative impact on the public since their recreational fishing limits will be reduced. The positive impact created by increased landings by commercial shellfish fishermen dependent on this fishery will outweigh any negative impact on the public.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Tom Kiely, Chief, Conservation and Protection Division, Department of Fisheries and Oceans, P.O. Box 1833, Antigonish, Nova Scotia, B2G 2M5. Tel. (902) 863-5670

F&O-28

Otter Trawl Vessels Greater than 19.8 Metres Fishing for Shrimp within 12 Nautical Miles

Regulations presently restrict all vessels that have an overall length of 19.8 metres or more, and using otter trawls, from fishing within 12 nautical miles of the nearest shore on the Atlantic coast of Canada. It is proposed to amend the Regulations to allow shrimp fishing vessels over 19.8 metres to fish with otter trawls within the 12-mile zone in selected areas of the Gulf of St. Lawrence, since this resource is normally found within these areas.

There will be no financial costs associated with this proposal.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Charles Gaudet, Staff Officer, Shellfish, Resource Allocation, Fisheries and Oceans, P.O. Box 5030, Moncton, New Brunswick, E1C 9B6. Tel. (506) 851-7791

F&O-29

Use of Selective Mesh when Shrimp Fishing

Shrimp fishing is currently carried out using otter trawls with a minimum mesh size of 40 mm which, as a result, causes incidental catches of large quantities of groundfish; in certain areas, cod and redfish are more abundant than shrimp. The majority of the incidental catches consist of juvenile fish having no immediate value, but whose destruction constitutes a loss of the resource and a threat to future stock rebuilding. Recent studies conducted by departmental development personnel have shown that incidental catches could be reduced to less than five per cent if shrimp fishermen were obliged to equip their shrimp trawls with rigid separating screens.

The loss of shrimp will be minimal, and the cost of the rigid screen should be around $1000; however, this measure will protect juvenile populations of groundfish. It is expected that juvenile fish which are not caught will mature and contribute to the rebuilding of the stocks, thereby making catches more marketable, improving the reproductive capacity of the stocks and reducing the wastage of juvenile fish at sea. This amendment should also have a positive impact on fishermen. Time spent sorting fish will be reduced while shrimp catches will increase because fewer shrimp will be crushed at the bottom of trawls.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Pierre Couillard, Senior Advisor, Shellfish and Molluscs, Fisheries and Habitat Management Branch, Department of Fisheries and Oceans, 901 Cap Diamant, Quebec, Quebec, G1K 7Y7.

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F&O-30

Aquaculture in Prince Edward Island

Regulations are needed to manage and enhance the aquaculture industry within Prince Edward Island. This is due to a rapidly expanding industry. The aquaculture industry within the other three Atlantic provinces is a provincial responsibility, but in Prince Edward Island the aquaculture industry remains under the control of the Department of Fisheries and Oceans. New regulatory provisions are proposed to regulate and control licensing, size and seasons for all aquaculture sites in the province.

There will be no negative effect on the industry nor will there be any additional costs. These initiatives will require a small increase in enforcement and surveillance but the economic benefits to the industry clearly outweigh the costs. These Regulations have been requested by the industry and the Prince Edward Island Department of Fisheries.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Peter Zahrndt, Chief, Conservation and Protection Division, Department of Fisheries and Oceans, P.O. Box 1236, Charlottetown, Prince Edward Island, C1A 7M8. Tel. (902) 566-7812

Beluga Protection Regulations

F&O-31

Protection of the St. Lawrence Beluga Population

In 1983, beluga whales in the St. Lawrence were designated as an endangered species by the Committee on the Status of Endangered Species in Canada. Since that time, belugas have been the subject of various protection efforts, and action plans to enhance their survival have been put in place. However, the current Regulation limits their protection to areas where they are normally located, the Gulf of St. Lawrence, the Saguenay River and their tidal water tributaries. Updated information shows that belugas now range in areas outside those where they are normally found and it is expected that the success of current conservation measures could increase the frequency of this phenomenon.

This proposal would protect animals "wandering" out of the areas where they are normally found by extending the prohibition on hunting them to all tidal waters south of the 52nd parallel. This measure will allow conservation of the remaining population of beluga whales (l0 per cent of its historical level of 5000) by protecting the entire remaining population against hunters. The prohibition on hunting these whales will have no negative impact.

This proposal appeared in the 1991 Regulatory Plan as 321-F&O.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Mimi Breton, Senior Advisor, Marine Mammals and Northern Quebec, Resource Allocation Division, Fisheries Management and Habitat Branch, Department of Fisheries and Oceans, 901 Cap Diamant, Quebec, Quebec, G1K 7Y7. Tel. (418) 648-5883

F&O-32

Conservation Measures for Beluga Whales of Northern Quebec

The beluga whale population in Ungava Bay has been reduced from its level of 800 to l000 animals near the end of the l9th century to a number now so low it is impossible to estimate. Since this species was granted the status "threatened with extinction" by the Committee on the Status of Endangered Species in Canada, the Arctic Fisheries Scientific Advisory Committee of the Department of Fisheries and Oceans has recommended that hunting of this population of belugas be stopped; if the hunt is continued, extinction will occur very rapidly.

The beluga population in the eastern part of Hudson's Bay has been reduced from its initial level estimated at about 6000 to 7000 animals to approximately 1125 to 1905 animals. The decline is primarily due to the intensive commercial hunt which occurred in the 18th and 19th centuries, but current subsistence hunting has surpassed allowed limits. The Arctic Fisheries Scientific Advisory Council of the Department of Fisheries and Oceans has likewise recommended that hunting quotas be established.

This proposal will establish hunting quotas for the beluga population in the eastern part of Hudson's Bay and terminate hunting in Ungava Bay. A close time will also be established for the Nastapoka River estuary, a critical habitat, during the month of July. The proposal has received the approval of the Joint Committee on Hunting, Fishing and Trapping created by Chapter 24 of the Agreement on James Bay and Northern Quebec.

These measures will permit the department to control the exploitation of belugas and therefore, allow conservation of the population in Ungava Bay and prolong the utilization of belugas in the eastern part of Hudson's Bay. Six eastern Hudson's Bay communities and five Ungava Bay communities will be affected by these measures since their intake of fat and protein from this source will be limited. However, a redistribution program between communities and a support program for the Ungava Bay communities by way of a fall hunt outside of the Ungava Bay boundaries have been proposed by the regional government, Kativik, which will compensate in part for the losses incurred.

This proposal appeared in the 1991 Regulatory Plan as 322-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Mimi Breton, Senior Advisor, Marine Mammals and Northern Quebec, Resource Allocation Division, Fisheries Management and Habitat Branch, Department of Fisheries and Oceans, 901 Cap Diamant, Quebec, Quebec, G1K 7Y7. Tel. (418) 648-5883

British Columbia Sport-Fishing Regulations

F&O-33

Conservation of Fish Stocks

Amendments are proposed which will mainly affect existing catch quotas, angling closures and angling gear restrictions. Most of the quota changes involve small quota reductions; some to zero in catch and release fisheries. The intent is to reduce the kill of spawners and ensure adequate survival of young fish. Many angling closures involve specific areas of some streams or all streams in certain watersheds at times when fish stocks are concentrated in small areas and are exceptionally vulnerable to capture. Restrictions of gear such as fly fishing, single hooks, single barbless hooks and natural bait bans are designed to ensure that fish that are caught and released will suffer minimal harm and survive at a high rate.

These amendments, which will produce immediate benefits, are all related to conservation of fish stocks. The changes will be numerous but the anticipated impact will be low. No sweeping changes or new initiatives are planned, and most are site-specific and temporary in effect. Anglers will suffer small reductions in numbers of fish they will be allowed to retain, but the effect on angling opportunity will be minimal. The effect on tourist camps and angling guides will also be minimal.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Lief Sunde, Fisheries Branch, Ministry of Environment, Parliament Buildings, Victoria, British Columbia, V8V 1X5. Tel. (604) 387-9589

F&O-34

Sport Fishing in Tidal Waters

It is proposed that the use of electrically powered downriggers be permitted by salmon sports fishermen in tidal waters. There is evidence to suggest that the catching efficiency of electrically powered downriggers is not significantly different from hand-operated downriggers and will not affect the conservation of salmon as was originally believed. Also, this amendment is consistent with current practice in non-tidal waters of British Columbia.

The establishment of separate size limits and quotas for marked hatchery and wild fish is proposed. Marked hatchery-raised chinook and coho are distinguishable from their wild counterparts because they have had their fins clipped. The use of separate quotas for marked hatchery-raised and wild stocks of these salmon species will maximize fishing opportunities.

An amendment is proposed to remove the quota on returning chinook salmon ("Jacks") between 30 cm and 50 cm for the tidal portion of the Fraser River. It is also proposed to introduce daily, monthly and annual quotas for chinook over 50 cm for these same waters. This will be consistent with the quota system used in the non-tidal waters of the Fraser River, and will help to maximize fishing opportunities by providing more options for managing this fishery.

A yearly bag limit for lingcod will be introduced. In addition, a number of amendments will be required regarding other species quotas, close times, areas, gear, species and size limits as specific circumstances dictate.

This proposal amends 323-DFO which appeared in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Chris Dragseth, Pacific and Freshwater Fisheries, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0191

Fish Health Protection Regulations

F&O-35

Enhancement of Live Fish Provisions and Inclusion of Finfish Species, Molluscs and Crustaceans

The Fish Health Protection Regulations are being amended following national consultations with all interested parties. Amendments are required to ensure that the necessary powers are in place to prevent the introduction and spread of infectious diseases of aquatic organisms. Some examples of these changes are the establishment of requirements for notification of diseases, inspection and testing of fish, treatment and eradication of diseases, seizure of stocks, disposal and destruction of stocks, and quarantine. The Manual of Compliance to the Regulations will be amended to encompass new data on diseases, new diagnostic technologies and new concepts. Currently, the Regulations only cover the importation of fish of the salmonid family. Regulations and procedures will also be developed to enable protection of health of finfish species other than salmonids, as well as of molluscs and crustaceans.

These amendments will enable the department to improve control on the importation and transfer of fish that can carry infectious disease agents. These diseases could threaten Canada's fisheries resources. The department will be able to reduce the risks of diseases spreading and to undertake eradication programs. Amendments to the Manual of Compliance will provide specific conditions for importation of different commodities. Health certification requirements could be reduced for some commodities. Shipments of eggs or fish that are not permitted now, could be permitted between zones with the same disease status. New requirements related to the import of molluscs, crustaceans and other finfish will be phased in to minimize the impact on the industry.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: T.G. Carey, Senior Program Advisor (Aquaculture and Fish Health), Aquaculture and Resource Development Branch, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0273

Fish Inspection Regulations

F&O-36

Rewrite of the Regulations

The Fish Inspection Regulations have been amended several times over the last 23 years to incorporate specific changes. However, no broad review has been undertaken since 1967. An in-depth review will be undertaken to ensure that developments in international standards for fish and fish products arising from trade liberalization are taken into consideration in developing proposals for regulatory changes which are compatible with Canada's international trade obligations. In addition, proposed changes will ensure greater consistency with other federal food Regulations and relevance to the state of technological development of the food processing industry.

Taken together, the changes position the industry for greater international competitiveness by ensuring that the Regulations allow for innovative products and processes. The changes will also address consumer perceptions regarding health and safety of fish and fish products.

This initiative appeared in the 1991 Regulatory Plan as 326-F&O.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: David Bevan, Director, Inspection Services, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0412

F&O-37

Voluntary Grades for Fresh and Frozen Salmon

The Fish Inspection Regulations provide for the voluntary grading of frozen, gutted Pacific salmon. It is proposed to amend the Regulations to provide for the voluntary grading of fresh, gutted Pacific salmon as well as fresh or frozen, gutted Atlantic salmon. It is believed that the extension of voluntary grading to include these products will give them the same marketing advantages that are currently limited to frozen, gutted Pacific salmon. Requests for these changes from industry have resulted from the development and rapid expansion of a domestic aquaculture industry for Atlantic salmon, particularly on the East coast, and the increased demand for fresh, gutted salmon in the domestic and export market.

The Regulations also require that frozen, gutted Pacific salmon be protected by a glaze of ice or a tightly wrapped covering to prevent oxidation and dehydration. All frozen, gutted salmon will be required to have this protective treatment to ensure the retention of their quality while frozen.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: C.E. Prince, Chief, Fish and Fish Products, Inspection Services Branch, Department of Fisheries and Oceans, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0149

Fishing and Recreational Harbours Regulations

F&O-38

Charges for Use of a Harbour

A review of the fees for use of a harbour (wharfage, berthage, storage, boat launching, etc.) may result in certain changes. One such change which will be made is the introduction of an exemption for senior citizens from the fee for launching a recreational vessel. In this case, a senior citizen is defined as a Canadian citizen over the age of 65 years. Various other amendments are being considered to clarify the intent of the Regulations, such as revising unfair charge adjustment procedures, permitting credit to some users in specific circumstances and clarifying storage charges applicable to vessels.

The overall impact on Canadians will be minor. If any fee increases are introduced, they will be based on costs of providing services to the public. Senior citizens, many of whom are living on meagre means and who enjoy recreational boating, will be positively affected by the exemption from launching fees, and the revenue loss from these fees will be very minor. In some cases, such as the refund of prepaid berthage charges, users' expenses may be reduced.

This initiative appeared in the 1991 Regulatory Plan as 327-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: M.A. Godin, National Director, Small Craft Harbours Branch, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 993-3012

F&O-39

Prohibition on Swimming in Scheduled Harbours

An amendment to the Regulations is proposed to restrict swimming and diving activities in scheduled harbours. Although this amendment may reduce recreational swimming opportunities in certain waters in scheduled harbours, it is considered necessary for the safety and well-being of the boating and general public using these harbours.

This proposal appeared in the 1991 Regulatory Plan as 328-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: M.A. Godin, National Director, Small Craft Harbours Branch, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 993-3012

F&O-40

Parking, Goods Storage and Vessel Storage

The proposed Regulations will provide controls on parking and storage of goods and vessels on harbour property. Presently there is little such control in the harbours, which results in poor use of harbour property.

The implementation of these changes will allow a greater number of people to have access and use the affected areas of harbours, and the vast majority of users will endorse them.

This proposal appeared in the 1991 Regulatory Plan as 329-F&O.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: M.A. Godin, National Director, Small Craft Harbours Branch, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 993-3012

F&O-41

Prohibition on Discharge of Garbage, Offal, etc.

The current Regulation on the disposal of garbage and other waste material at a fishing or recreational harbour requires the department to provide facilities for such disposal. This is not practical or possible at all harbours for all types and quantities of waste material. It is proposed to prohibit disposal of garbage, etc. at harbours unless proper facilities are in place. This proposal will protect harbours from the damage that can ensue from the mishandling of garbage, offal and any other contaminants both in the water and on departmental property.

The impact on the public and the owners and operators of vessels will be positive. The only negative impact will be on those individuals currently using harbours to dispose of their garbage.

This proposal appeared in the 1991 Regulatory Plan as 330-F&O.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: M.A. Godin, National Director, Small Craft Harbours Branch, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 993-3012

F&O-42

Revisions to Schedule I

Revision of Schedule I is required to bring the list of fishing and recreational harbours up-to-date to reflect recent transfers of harbours. The impact will be minimal as these changes to the Regulations will not affect the harbour users. The Regulations will be clearer and easier to use.

This initiative appeared in the 1991 Regulatory Plan as 331-F&O.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: M.A. Godin, National Director, Small Craft Harbours Branch, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 993-3012

Manitoba Fishery Regulations, 1987

F&O-43

Management of Fisheries in Manitoba

The proposed regulatory change will:
(a) update the schedule of high-quality management and stocked trout waters to provide for better fisheries management on these waters, and add white bass (morone chrysops) to the list of common and scientific names;

(b) remove Townsend Lake from the list of lakes in which no fishing is allowed, since this lake is no longer needed for research purposes;

(c) remove the ban on dip netting in natural brook trout waters, as the ban is not serving any purpose and is not currently being enforced;

(d) reduce the bait fish possession limit to four dozen live bait fish. This has been requested by the live bait fish industry as a means of introducing a reasonable limit and reducing abuse of the current Regulations dealing with anglers collecting their own live bait fish;

(e) introduce a prohibition on the use of a trap net by any person other than a commercial fisherman. Trap nets are commonly set for the purpose of taking fish illegally;

(f) introduce a prohibition on a person transporting someone else's fish unless that person has a signed document from the owner of the fish that the fish were caught by a licensed angler;

(g) make it illegal to have a barbed hook tied on the end of a fishing line that is ready for immediate use;

(h) amend the provision dealing with possession of fish in cages by specifying that anglers must be sport fishing and must be within 25 m of any live fish in their possession;

(i) an amendment may be proposed to make provision for an approved mesh-size measuring device under the mesh-size definition.

Costs associated with these amendments will be limited; however more effective Regulations will assist enforcement personnel in cases where there are now some loopholes and abuse of the current Regulations. No impact will be felt by law-abiding anglers. The potential for over exploitation and damage to fish stocks will be reduced by introducing lower limits to sustain fish populations and limiting the possession of live bait fish, thereby providing a higher quality of angling to the public.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Sherman Fraser, Fisheries Branch, Box 20, 1495 St. James Street, Winnipeg, Manitoba, R3H 0W9.
Tel. (204) 945-7806

F&O-44

Licence Fee Adjustments

It is proposed to raise licence fees in 1992 in Manitoba and introduce an out-of-province conservation and full-limit licence. The following fee structure is proposed:

resident conservation licence	$10	($5 increase)
resident full-limit licence	$15	($5 increase)
non-resident conservation licence	$20	($5 increase)
non-resident full-limit licence	$40	($10 increase)
out-of-province conservation licence	$15	(new)
out-of-province full-limit licence	$25	(new)

Sport-fishing licence fees are currently the lowest in Canada, and have not been raised in several years. Fees will be raised to match the increase in inflation since the last increase. Most other provinces charge an additional fee for Manitobans or other out-of-province anglers to fish and other Canadians currently pay the same fee as Manitobans to fish in Manitoba. It is proposed to charge other Canadians an amount more than that required from Manitobans, but less than for non-Canadians.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Sherman Fraser, Fisheries Branch, Box 20,
1495 St. James Street, Winnipeg, Manitoba, R3H 0W9.
Tel. (204) 945-7806

F&O-45

Indian Food Fishery

This proposal will clarify the Regulations with respect to Indian fisheries to recognize the rights of aboriginal peoples to fish for food and for social and ceremonial purposes, after conservation and resource management concerns, i.e., stock maintenance, have been satisfied. The Government of Manitoba, in consultation with the federal government, is committed to negotiations with aboriginal people and to enact Regulations with respect to their harvest of fish.

Since additional harvest of certain fish species may occur in certain areas of the province, it is important that mechanisms be developed in conjunction with native peoples to ensure harvest levels are recorded and fish populations are monitored to achieve conservation objectives. When biological limits are approached, specific mechanisms will be negotiated and, as required, restrictions will be placed on native and non-native harvest to ensure conservation objectives are met.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Sherman Fraser, Fisheries Branch, Box 20,
1495 St. James Street, Winnipeg, Manitoba, R3H 0W9.
Tel. (204) 945-7806

Minister of Fisheries and Oceans Authority to Prescribe Fees or Charges Order

F&O-46

Ocean Data and Services Fees Order

There will be a revised fee structure introduced for the provision of ocean data and services by the Department of Fisheries and Oceans. The new fee structure will include more up-to-date labour costs to better reflect the real cost incurred by the department to provide these services to its clientele.

These fees have not been amended since 1986. Users of these services will experience increased costs; however the revisions are necessary to bring the fees in line with the actual cost of providing the services.

This proposal appeared in the 1991 Regulatory Plan as 335-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Paul-André Bolduc, Chief, Policy, Planning and Special Projects Division, Marine Environmental Data Services Branch, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0231

F&O-47

Nautical Charts and Related Publications Fees Order

The Canadian Hydrographic Service of the Department of Fisheries and Oceans provides nautical charts and supplementary publications and updates information to support safe marine navigation. The fees for these services are expected to require minor increases in 1992 in order to recover increased costs of printing, updating and distributing these products and services to the public.

This proposal appeared in the 1991 Regulatory Plan as 336-F&O.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Ross Douglas, Director General, Canadian Hydrographic Service, Department of Fisheries and Oceans, 615 Booth Street, Ottawa, Ontario, K1A 0E6.
Tel. (613) 995-4413

Newfoundland Fishery Regulations

F&O-48

Establishment of New Cod Fishery Area

The proposed Regulation will add an area to the some 100 cod fishery areas already in Regulations. This proposal is in response to requests received in the form of petitions from fishermen to establish a cod fishery area in waters adjacent to the five communities of Mobile, Tors Cove, Burnt Cove, Bauline East and St. Michaels. The intense competition for prime fishing berths for the placement of cod traps results in disputes over the placement of fishing gear. This proposal will help eliminate these disputes.

This proposal affects only the fishermen from these five communities. It will bring order to their cod trap fishery and enable them to plan and organize their affairs better. No negative impacts are anticipated. This proposal will not involve additional costs to the fishermen or the department.

This proposal appeared in the 1991 Regulatory Plan as 339-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Gary Kelland, District Supervisor, Fisheries and Habitat Management Branch, Department of Fisheries and Oceans, 354 Water Street, St. John's, Newfoundland, A1C 5M3. Tel. (709) 772-5845

Ontario Fishery Regulations, 1989

F&O-49

Fishing in the Province of Ontario

Amendments to the Regulations will include changes to the close time for sport fishing for a number of fish species, to area closures, and to the number of lines used for the conservation and protection of fish.

An area closure is proposed for the Dawson Rocks area of Georgian Bay to prohibit all fishing. This is in an effort to rehabilitate the remnant stocks of lake trout from Parry Sound and Iroquois Bay.

Close times will be provided for additional species and fishing divisions so that the ministry can be more responsive in managing fisheries resources of the province.

On Lake Nipissing, there is a limit in place of one line when angling through the ice. This is a management strategy to reduce angling pressure on walleye to improve the health of the stock. It is proposed to amend the line limit to two, which is the limit across the province. This will help to avoid confusion for the public on the number of lines to be used when ice fishing. There appeared to be no effect on the health of the walleye stocks with the one-line limit.

Public input has been actively solicited through the Ministry of Natural Resources District Fisheries Management Plans as well as meetings with native groups and fish and game clubs. This amendment is not expected to result in any significant costs to the public or government. In some areas, these restrictions may have some impact on participation in sport fishing and associated businesses. These impacts should be offset by the long term benefits of managing and conserving fish stocks for continued and future use.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Gail L. Beggs, Director, Fisheries Policy Branch, Ontario Ministry of Natural Resources, 99 Wellesley Street West, Toronto, Ontario, M7A 1W3. Tel. (416) 965-7885

Pacific Commercial Salmon Fishery Regulations

F&O-50

Fishing Gear Provisions and Use of Power Skiffs

An amendment is proposed to regulate weedline length in gill nets to reduce the incidental by-catch of steelhead salmon when fishing for other species of salmon. By lowering the net with the use of a longer weedline, the steelhead, which normally swim in the top metre of the river, will escape capture, thus significantly contributing to their conservation. Fishermen will be required to adjust their weedline lengths and will face no increase in costs.

To facilitate the identification of 90-mesh nets, 370 m or less in length, by enforcement officials, and to help to prevent their use in areas where fishermen are restricted to 60-mesh nets, an amendment is proposed to require that every fifth cork on the corkline of 90-mesh nets be painted orange. Fishery officers will be able to identify and warn those fishermen who have 90-mesh nets with unpainted corks on board their vessels. The visibility of the nets with painted corks will discourage their use in restricted waters. The cost of painting the corks is minimal.

An amendment is proposed that permits the use of power skiffs to set seine nets in areas 21 and 121 and permits the use of skiffs powered by a motor with a maximum of 25 horsepower for the rest of the coast. This amendment will provide for the effective management of the salmon seine fishery and does not pose conservation problems. Nominal costs to fishermen will result from this amendment.

This proposal amends 344-DFO which appeared in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Chris Dragseth, Pacific and Freshwater Fisheries, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0191

Pacific Fishery Regulations, 1984

F&O-51

Pacific Commercial Licensing Policy Changes

Amendments will be proposed for implementation in the 1993 licensing year which will allow for changes in licensing commercial fisheries in accordance with policy directions and objectives as developed in the Pacific Region Licensing Policy Review. Provisions may be added or amended which will remove inconsistencies and outdated requirements, improve management of the fisheries, facilitate the proper administration of the licensing system, improve enforcement of the Regulations, and reflect the current and future nature of commercial fisheries on the Pacific coast.

Public and industry input has been and will continue to be actively solicited through the licence policy review process. Potential impacts range from improved service to the industry to significant short-term impacts that will lead to long-term benefits for the management and conservation of fish stocks.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Chris Dragseth, Pacific and Freshwater Fisheries, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0191

Quebec Fishery Regulations, 1990

F&O-52

Sport Fishing Licence Fees

This proposed regulatory amendment sets sport-fishing licence fees for the 1992-1993 fishing season. This measure will not alter current sport-fishing or commercial-fishing practices. Only fees for sport-fishing licences are affected.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Denis Choquette, Regulatory Services, Regulations, Fees and Permits Branch, Department of Recreation, Hunting and Fishing, 150 St-Cyrille Boul. East, 4th Floor, Quebec, Quebec, G1R 4Y1. Tel. (418) 644-8376

Saskatchewan Fishery Regulations

F&O-53

Sport-Fishing Licences

It is proposed to implement an inexpensive three-day angling licence for visitors travelling across Saskatchewan who wish to stop and fish within the province. Most through-province travel occurs in the Southern Fisheries Management Zone. This new licence will be available only for this southern zone. The fee for Canadian residents will be $7.50, and for non-residents, $15.00.

It is also proposed to increase the fee for replacement of a lost angling licence to $5.00. The current fee of $1.00 has been in place for three decades. The administrative costs of issuing licences have increased substantially over that period.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Murray, Fisheries Branch, Saskatchewan Parks, Recreation and Culture, 3211 Albert Street, Regina, Saskatchewan, S4S 5W6. Tel. (306) 787-2950

Tuna Fishery Regulations

F&O-54

Bluefin Tuna

The amendment will redraft the Atlantic portion of the Tuna Fishery Regulations to reflect the current conditions of the fishery in Atlantic Canada. The fishery has evolved over the past few years, and the regulatory provisions for the fishery have not kept pace. Management efforts, in the bluefin fishery in particular, have been hampered during the past two years because the necessary regulatory framework was not in place. This fishery has evolved from a largely sport fishery into a highly competitive commercial fishery. The present Regulations do not reflect this reality.

This amendment will have a positive impact on the fishery by curbing the illegal tuna fishing that is taking place in Atlantic Canada. It will also help ensure that Canada meets its international obligations with the International Commission for the Conservation of Atlantic Tuna (ICCAT). These Regulations will apply to all fishermen in Atlantic Canada. The general public will not be affected by this amendment.

This proposal appeared in the 1991 Regulatory Plan as 352-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Management Branch, Department of Fisheries and Oceans, P.O.Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

F&O-47

Nautical Charts and Related Publications Fees Order

The Canadian Hydrographic Service of the Department of Fisheries and Oceans provides nautical charts and supplementary publications and updates information to support safe marine navigation. The fees for these services are expected to require minor increases in 1992 in order to recover increased costs of printing, updating and distributing these products and services to the public.

This proposal appeared in the 1991 Regulatory Plan as 336-F&O.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Ross Douglas, Director General, Canadian Hydrographic Service, Department of Fisheries and Oceans, 615 Booth Street, Ottawa, Ontario, K1A 0E6.
Tel. (613) 995-4413

Newfoundland Fishery Regulations

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This proposal affects only the fishermen from these five communities. It will bring order to their cod trap fishery and enable them to plan and organize their affairs better. No negative impacts are anticipated. This proposal will not involve additional costs to the fishermen or the department.

This proposal appeared in the 1991 Regulatory Plan as 339-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Gary Kelland, District Supervisor, Fisheries and Habitat Management Branch, Department of Fisheries and Oceans, 354 Water Street, St. John's, Newfoundland, A1C 5M3. Tel. (709) 772-5845

Ontario Fishery Regulations, 1989

F&O-49

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Public input has been actively solicited through the Ministry of Natural Resources District Fisheries Management Plans as well as meetings with native groups and fish and game clubs. This amendment is not expected to result in any significant costs to the public or government. In some areas, these restrictions may have some impact on participation in sport fishing and associated businesses. These impacts should be offset by the long term benefits of managing and conserving fish stocks for continued and future use.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Gail L. Beggs, Director, Fisheries Policy Branch, Ontario Ministry of Natural Resources, 99 Wellesley Street West, Toronto, Ontario, M7A 1W3. Tel. (416) 965-7885

Pacific Commercial Salmon Fishery Regulations

F&O-50

Fishing Gear Provisions and Use of Power Skiffs

An amendment is proposed to regulate weedline length in gill nets to reduce the incidental by-catch of steelhead salmon when fishing for other species of salmon. By lowering the net with the use of a longer weedline, the steelhead, which normally swim in the top metre of the river, will escape capture, thus significantly contributing to their conservation. Fishermen will be required to adjust their weedline lengths and will face no increase in costs.

To facilitate the identification of 90-mesh nets, 370 m or less in length, by enforcement officials, and to help to prevent their use in areas where fishermen are restricted to 60-mesh nets, an amendment is proposed to require that every fifth cork on the corkline of 90-mesh nets be painted orange. Fishery officers will be able to identify and warn those fishermen who have 90-mesh nets with unpainted corks on board their vessels. The visibility of the nets with painted corks will discourage their use in restricted waters. The cost of painting the corks is minimal.

An amendment is proposed that permits the use of power skiffs to set seine nets in areas 21 and 121 and permits the use of skiffs powered by a motor with a maximum of 25 horsepower for the rest of the coast. This amendment will provide for the effective management of the salmon seine fishery and does not pose conservation problems. Nominal costs to fishermen will result from this amendment.

This proposal amends 344-DFO which appeared in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Chris Dragseth, Pacific and Freshwater Fisheries, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0191

Pacific Fishery Regulations, 1984

F&O-51

Pacific Commercial Licensing Policy Changes

Amendments will be proposed for implementation in the 1993 licensing year which will allow for changes in licensing commercial fisheries in accordance with policy directions and objectives as developed in the Pacific Region Licensing Policy Review. Provisions may be added or amended which will remove inconsistencies and outdated requirements, improve management of the fisheries, facilitate the proper administration of the licensing system, improve enforcement of the Regulations, and reflect the current and future nature of commercial fisheries on the Pacific coast.

Public and industry input has been and will continue to be actively solicited through the licence policy review process. Potential impacts range from improved service to the industry to significant short-term impacts that will lead to long-term benefits for the management and conservation of fish stocks.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Chris Dragseth, Pacific and Freshwater Fisheries, Department of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario, K1A 0E6. Tel. (613) 990-0191

Quebec Fishery Regulations, 1990

F&O-52

Sport Fishing Licence Fees

This proposed regulatory amendment sets sport-fishing licence fees for the 1992-1993 fishing season. This measure will not alter current sport-fishing or commercial-fishing practices. Only fees for sport-fishing licences are affected.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Denis Choquette, Regulatory Services, Regulations, Fees and Permits Branch, Department of Recreation, Hunting and Fishing, 150 St-Cyrille Boul. East, 4th Floor, Quebec, Quebec, G1R 4Y1. Tel. (418) 644-8376

Saskatchewan Fishery Regulations

F&O-53

Sport-Fishing Licences

It is proposed to implement an inexpensive three-day angling licence for visitors travelling across Saskatchewan who wish to stop and fish within the province. Most through-province travel occurs in the Southern Fisheries Management Zone. This new licence will be available only for this southern zone. The fee for Canadian residents will be $7.50, and for non-residents, $15.00.

It is also proposed to increase the fee for replacement of a lost angling licence to $5.00. The current fee of $1.00 has been in place for three decades. The administrative costs of issuing licences have increased substantially over that period.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Murray, Fisheries Branch, Saskatchewan Parks, Recreation and Culture, 3211 Albert Street, Regina, Saskatchewan, S4S 5W6. Tel. (306) 787-2950

Tuna Fishery Regulations

F&O-54

Bluefin Tuna

The amendment will redraft the Atlantic portion of the Tuna Fishery Regulations to reflect the current conditions of the fishery in Atlantic Canada. The fishery has evolved over the past few years, and the regulatory provisions for the fishery have not kept pace. Management efforts, in the bluefin fishery in particular, have been hampered during the past two years because the necessary regulatory framework was not in place. This fishery has evolved from a largely sport fishery into a highly competitive commercial fishery. The present Regulations do not reflect this reality.

This amendment will have a positive impact on the fishery by curbing the illegal tuna fishing that is taking place in Atlantic Canada. It will also help ensure that Canada meets its international obligations with the International Commission for the Conservation of Atlantic Tuna (ICCAT). These Regulations will apply to all fishermen in Atlantic Canada. The general public will not be affected by this amendment.

This proposal appeared in the 1991 Regulatory Plan as 352-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Leo Muise, Chief, Regulations Division, Fisheries and Habitat Management Branch, Department of Fisheries and Oceans, P.O.Box 550, Station M, Halifax, Nova Scotia, B3J 2S7. Tel. (902) 426-2473

Yukon Fishery Regulations

F&O-55

Clarification and Updating of the Regulations

Some amendments of a minor nature will be made for clarification purposes. There will also be amendments which may involve quotas, close times and gear restrictions required for fisheries management, enforcement and conservation purposes. All of the proposals will have a minor impact on client groups.

This proposal appeared in the 1991 Regulatory Plan as 353-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Zealand, District Supervisor, Department of Fisheries and Oceans, 122 Industrial Road, Whitehorse, Yukon, Y1A 2T9. Tel. (403) 667-2235

F&O-56

Ticketing for Fishing Offences

A voluntary penalty provision is being considered for inclusion in these Regulations. It would remove the need for mandatory court appearances by providing a voluntary early payment option to offenders who wish to plead guilty to certain minor summary offences.

This amendment is expected to relieve court congestion and lower the cost of operating the courts, lessen enforcement officers' time in document preparation, court time, travel time and travel costs, provide a similar convenience to fishermen who wish to plead guilty, and make the Regulations consistent with other fisheries Regulations.

This proposal appeared in the 1991 Regulatory Plan as 354-F&O.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Zealand, District Supervisor, Department of Fisheries and Oceans, 122 Industrial Road, Whitehorse, Yukon, Y1A 2T9. Tel. (403) 667-2235

Health and Welfare Canada

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General Information

Roles and Responsibilities

Health and Welfare Canada was established in 1944 by the Department of National Health and Welfare Act to promote and preserve the health, social security and social welfare of the people of Canada over which the Parliament of Canada has jurisdiction. Since then, advances in the fields of health, social security and social welfare have led to the introduction of a number of new and extensive programs.

Departmental health programs are designed to reduce illness and untimely death of Canadians associated with hazards in the environment, both man-made and natural; to protect and enhance the health of those Canadians whose care, by legislation or custom, is the responsibility of the department; and to develop, promote and support measures designed to preserve and improve the health of Canadians.

Departmental welfare programs are designed to maintain and improve the income security and the social well-being of Canadians.

Six branches, each headed by an assistant deputy minister, administer the departmental programs. Health programs are operated by the Health Protection Branch, the Medical Services Branch and the Health Services and Promotion Branch, and welfare programs by the Income Security Programs Branch and the Social Service Programs Branch. The Fitness and Amateur Sport Branch operates programs to increase the physical activity and fitness of Canadians and to support the development of high performance amateur sport.

Legislative Mandate

The Acts administered in whole or in part by the Minister of National Health and Welfare are:

- Department of National Health and Welfare Act
- Food and Drugs Act
- Narcotic Control Act
- Environmental Contaminants Act
- Radiation Emitting Devices Act
- Hazardous Products Act
- Quarantine Act
- Public Works Health Act
- Canada Health Act
- Federal/Provincial Fiscal Arrangements and Established Programs Financing Act, 1977
- Health Resources Fund Act
- Medical Research Council Act
- Canada Medical Act
- Old Age Security Act
- Canada Pension Plan
- Family Allowances Act, 1973
- Canada Assistance Plan
- Unemployment Assistance Act
- Vocational Rehabilitation of Disabled Persons Act
- Fitness and Amateur Sport Act
- Tobacco Products Control Act

Administrative Arrangements

Administrative arrangements exist for:

- Atomic Energy Control Act
- Immigration Act, 1976
- Excise Tax Act
- Young Offenders Act
- Indian Act
- Canada Shipping Act

Initiatives

Health Protection Branch

HWC-1

Non-medicinal Ingredient Labelling

The Health Protection Branch has proposed that manufacturers of drug products disclose non-medicinal ingredients on their labels, in addition to the current medicinal ingredient disclosure.

The cost of relabelling drug products is outweighed by the benefit to consumers who have serious reactions to small amounts of non-medicinal ingredients.

This proposal has been the subject of a broad-based consultation with all segments of the affected industry, professional associations and consumer groups through the information letter process, *Canada Gazette*, Part I on 2 December 1989 and meetings with interested parties.

This initiative appeared in the 1991 Regulatory Plan as 356-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-2

Expiration Date for Drug Products

An expiration date appearing on the label of all drug products is considered necessary.

The costs associated with a regulatory requirement for expiration dates would be minimal; manufacturers and importers are currently required to determine expiration dates. Some manufacturers would be required to relabel.

This proposal has been the subject of a broad-based consultation with all segments of the affected industry, professional associations and consumer groups through the information letter process and publication in the *Canada Gazette*, Part I on 20 April 1991.

This initiative appeared in the 1991 Regulatory Plan as 357-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-3

Drug Potency Limits

These amendments would introduce a standard variation of 90 to 110 per cent of the potency of the active ingredient(s) in a drug.

These proposals reflect advances in pharmaceutical manufacturing technology and are expected to have a modest impact on manufacturing costs.

The proposals have been the subject of a broad-based consultation with all segments of the affected industry, professional associations and consumer groups through the information letter process and *Canada Gazette*, Part I on 13 October 1990.

This initiative appeared in the 1991 Regulatory Plan as 358-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-4

Format of New Drug Submissions

The Regulations prescribe a certain format for new drug submissions; these requirements are administrative and not substantive in nature. This amendment requires manufacturers to certify submissions and provide study summaries and raw-data cross referencing; and reduce paper burden.

No significant impact is expected from this clarification. The pharmaceutical industry has been consulted through prepublications in the *Canada Gazette* in February 1987 and in April 1991.

This initiative appeared in the 1991 Regulatory Plan as 359-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-5

Notifiable Changes for New Drugs

These amendments pertaining to new drugs would allow notification of simple changes rather than requiring a supplemental new drug submission. Subsequently, additional categories will be included in the Guide for Use in the Interpretation of Section C.08.003 of the Food and Drug Regulations.

Notifiable changes were the subject of a broad-based consultation with all segments of the affected industry, professional associations and consumer groups through the information letter process. Additional categories will be discussed with affected parties.

This initiative appeared in the 1991 Regulatory Plan as 360-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-6

Notifiable Changes for Proprietary Medicines

These amendments pertaining to proprietary medicines would provide for more latitude in allowing notification of simple changes rather than providing a complete submission. Notifiable changes were the subject of consultation with industry.

This initiative appeared in the 1991 Regulatory Plan as 370-HWC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-7

Preclinical New Drug Submissions

The sale of a new drug for investigational use is regulated under Section C.08.005 of the Food and Drug Regulations. The pharmaceutical industry and research community have been consulted with respect to the review of this section. Changes would clarify and facilitate the conduct of clinical studies in Canada.

This initiative appeared in the 1991 Regulatory Plan as 361-HWC.

Expected Date of Publication: Second Quarter, 1992 *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-8

Food and Drugs Act and Regulations – Schedules D, G and F Additions/Deletions/Corrections

This amendment adds drugs to Schedule D (biologicals) and Schedule G (controlled drugs) of the Food and Drugs Act, and to Schedule F (prescription drugs) to the Food and Drug Regulations.

Most additions concern products whose manufacturers have requested or already anticipate their inclusion in these schedules. Other scheduling decisions will be made subsequent to consultation with the affected parties.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 362-HWC.

Expected Date of Publication: As required

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-9

Importation of Human Pathogens

This proposal for Regulations under the Health and Welfare Act would require persons importing organisms into Canada, that are capable of causing disease in humans, to acquire an import permit. The permit would stipulate the terms and conditions for the importation including the type of facilities required for super containment, handling and disposal of the organisms.

The inconvenience caused by short delays in the importation of these organisms is considered to be outweighed by the necessity to protect Canadians from the hazards associated with the unrestricted traffic of human pathogenic organisms.

This proposal has been the subject of a broad-based consultation with all segments of the affected industry, professional associations and consumer groups through the information letter process.

This initiative appeared in the 1991 Regulatory Plan as 363-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Director General, Laboratory Centre for Disease Control, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0316

HWC-10

Chloramphenicol for Veterinary Use

Livestock producers and veterinary associations are concerned about the continuing use of chloramphenicol in food-producing animals.

This proposal would restrict the sale of chloramphenicol containing products to concentrations below one per cent for ophthalmic use; where the product is to be used for parenteral administration to not more than one gram chloramphenicol per vial; and where the product is to be used for oral administration, the product is to be in a tablet or capsule form containing not more than one gram chloramphenicol.

This proposal has been the subject of a broad-based consultation with all segments of the affected industry, professional associations and consumer groups through the information letter process and publication in the *Canada Gazette*, Part I, in April 1991.

This initiative appeared in the 1991 Regulatory Plan as 364-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-11

Canadian Agent for Imported Drugs

This amendment clarifies the requirement for a Canadian name and address to appear on the label of all drugs.

As this amendment clarifies current interpretation, no major impact is anticipated. Manufacturers and importers are required to designate a Canadian representative with a Canadian address to take the responsibility for the product sold in Canada. The name and address of the Canadian representative must appear on the label.

This initiative appeared in the 1991 Regulatory Plan as 365-HWC, and was prepublished in the *Canada Gazette*, Part I, on 17 March 1990.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-12

Housekeeping Changes to Drug Regulations

These amendments pertain to typographical, spelling, translation, numbering and other inconsistencies in the Regulations that require correction. These proposals correct previously considered amendments.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 366-HWC.

Expected Date of Publication: As required

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-13

Labelling of Veterinary Products

This amendment would reduce the labelling requirements of veterinary drugs marketed in small containers. This option currently only exists for drugs for human use.

This initiative appeared in the 1991 Regulatory Plan as 367-HWC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-14

Hazardous Products References

These amendments will replace all references to the obsolete Hazardous Products (Hazardous Substances) Regulations appearing in the Food and Drug Regulations and in the Cosmetic Regulations with the new Consumer Chemicals and Containers Regulations which were published in the *Canada Gazette*, Part II in November 1988. The Hazardous Products (Hazardous Substances) Regulations were revoked on 31 October 1988.

This initiative appeared in the 1991 Regulatory Plan as 368-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-15

Clarification of Names

These amendments would clarify definitions for "common name" and "brand name." The definition of these terms within the Food and Drug Regulations is essential to ensure correct interpretation of the Regulations.

This initiative appeared in the 1991 Regulatory Plan as 369-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-16

Drug Colouring Agents Additions/Deletions/Corrections

This action adds, deletes or corrects entries to the lists of colouring agents permitted in drugs for internal or external use.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 371-HWC.

Expected Date of Publication: As required

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-17

Restricted and Narcotic Drugs

Amendments, when required, will add compounds and their analogs to Schedule H of the Food and Drugs Act and the schedule to the Narcotic Control Act to prevent their illicit use.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 373-HWC.

Expected Date of Publication: As required

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-18

Child-resistant Packaging for Fluoride Products

This regulatory initiative would require that manufacturers of drug products containing more than an equivalent of 120 mg of fluoride ion put cautionary statements on the labels, and that one package size of the drug product be in a child-resistant package.

Accidental poisonings of children due to the use of fluoride drops, tablets or other products containing fluoride have been reported. This amendment is intended to reduce the number of poisonings.

This initiative appeared in the 1991 Regulatory Plan as 375-HWC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-19

Acetylsalicylic Acid (ASA) and Reye Syndrome

This regulatory initiative would require that all products containing acetylsalicylic acid (ASA) for internal use be labelled with a cautionary statement on Reye syndrome and that advertising and registration as a proprietary medicine of ASA drug products for children be prohibited.

Statistical analyses demonstrate an association between Reye syndrome and the ingestion of ASA during some antecedent illnesses in children and teenagers. The purpose of this amendment is to reduce the incidence of Reye syndrome.

This initiative appeared in the 1991 Regulatory Plan as 376-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-20

Feeds Containing Investigational Drugs, Emergency Drugs or Experimental Drugs

This initiative will amend Section C.08.012 of the Food and Drug Regulations to permit a drug, not approved in Canada, to be used in a prescription feed.

Both the Health Protection Branch and Agriculture Canada recognize the need to provide for the use of investigational drugs, emergency drugs or experimental drugs in the manufacture of prescription feeds.

This initiative appeared in the 1991 Regulatory Plan as 379-HWC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-21

Regulations for a Drug Identification Number (DIN) – Revisions

This regulatory initiative revises the Regulations governing certain information submitted in an application for a Drug Identification Number (DIN) when that information requires change.

Manufacturers are currently permitted under one DIN to produce a pharmaceutical product which may be sold under a variety of brand names. The problem is that the specific brand names are not necessarily linked to specific DINs. The proposal will result in each brand name having one DIN.

Also, manufacturers now have to notify the Health Protection Branch regarding a change of product name within 30 days of the change. The proposal amends this to require notification of the name change before it takes place to ensure that should a problem arise with that product, it can be traced quickly.

This initiative appeared in the 1991 Regulatory Plan as 380-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-22

Regulation of Drug Residues in Food

This amendment adds drugs to Table III, Section B.15.003 of the Food and Drug Regulations and establishes maximum residue limits (MRLs) for these drugs.

This initiative establishes standards for drug residues in food which are in keeping with technological advances in the methods of detection. In addition, this proposal allows enforcement action to be taken against persons who violate these limits.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 355-HWC.

Expected Date of Publication: As required

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-23

Revisions to Schedule A to the Food and Drugs Act

This amendment removes pneumonia, poliomyelitis, tetanus and tuberculosis from the disease conditions listed in Schedule A to the Food and Drugs Act.

The listing of the above disease conditions in Schedule A unduly restricts the promotion of vaccine prophylaxis to the general public. In the interest of public health, this restriction is removed.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-24

Anabolic Steroids

This amendment adds 45 anabolic steroids to the schedule to Part G of the Food and Drug Regulations and to Schedule G of the Food and Drugs Act.

In response to the Dubin Report, this proposal will make anabolic steroids, except those in the form of "implants" suitable for agriculture use, subject to controls which govern controlled drugs.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Chief, Drug Regulatory Affairs Division, Drugs Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-0372

HWC-25

Bilingual Labelling Requirements for Medical Devices

It is proposed that Section 8 of the Medical Devices Regulations be amended to require all mandatory information on the label of a medical device sold in Canada to be displayed in both official languages in an open self-selection area. This amendment is required to comply with Section 26 of the Official Languages Act. Currently, the information displayed on the label of a medical device may be in either of the two official languages.

The medical device industry has expressed some concern with an earlier proposal for bilingual labelling announced in Health Protection Branch Information Letter No. 767 because of the cost involved in printing new bilingual labels. This proposal has been modified subsequent to the initial information letter to take the industry's concerns into account.

This initiative appeared in the 1991 Regulatory Plan as 381-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

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HWC-26

Good Design and Manufacturing Practices for Medical Devices

The proposed amendment to the Medical Devices Regulations will require medical devices sold in Canada to be designed and manufactured in accordance with the International Organization for Standardization standard: ISO 9001, "Quality Systems – Model for Quality Assurance in Design/Development, Production, Installation and Servicing."

The proposal is intended to further ensure the safety and efficacy of medical devices by requiring their design and manufacture under controlled conditions. The proposal is expected to result in extra costs for firms that do not already follow good design and manufacturing practices. The expected reduction in medical device failures will result in savings for the health care system.

This initiative appeared in the 1991 Regulatory Plan as 382-HWC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

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HWC-27

Sale of a Device for Investigational Testing

The proposed amendment to the Medical Devices Regulations will allow the sale of any device under prescribed conditions to qualified investigators for the purpose of conducting clinical investigations. There are currently limited provisions in the Regulations permitting clinical investigations.

The amendment will enable manufacturers to gather evidence of safety and efficacy of a device in Canada, thereby potentially making the device available to the Canadian market in a shorter time.

This initiative appeared in the 1991 Regulatory Plan as 383-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

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HWC-28

Sale of a Device for Emergency Treatment

The proposed amendment to the Medical Devices Regulations will allow the sale of a device under prescribed conditions for the emergency treatment of patients in life-threatening situations. There are currently no provisions in the Regulations permitting the emergency release of a device.

The amendment will enable the emergency release of a device for which safety and efficacy has not been fully established, offering patients in life-threatening situations an increased chance of recovery.

This initiative appeared in the 1991 Regulatory Plan as 383-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

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HWC-29

Standard for the Labelling of In-vitro Diagnostic Test Devices

The proposed schedule to the Medical Devices Regulations establishes additional labelling requirements for in-vitro diagnostic devices in an effort to reduce the potential for incorrect use and misinterpretation of results.

No substantial impact is anticipated from the implementation of this proposal.

This initiative appeared in the 1991 Regulatory Plan as 384-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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HWC-30

Cardiac Pacemakers

The proposed revision to Schedule III of the Medical Devices Regulations is intended to bring the existing Regulations up to date by improving performance standards as well as labelling and packaging requirements. The revised schedule will reference directly the International Organization for Standardization standard, ISO 5841/1:1989, "Cardiac Pacemakers – Part I: Implantable Pacemakers."

The proposal should improve labelling and packaging of cardiac pacemakers, and will require standard performance characteristics. No significant impact is expected because this proposal refers directly to an international standard which has been developed through the assistance of the pacemaker industry.

This initiative appeared in the 1991 Regulatory Plan as 385-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

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HWC-31

Contraceptive Devices

The proposed revision to Schedule I of the Medical Devices Regulations is intended to harmonize Canadian requirements with those of the International Organization for Standardization standard ISO 4074:1990 - "Rubber Condoms" to the greatest extent possible. The revised schedule will expand on and clarify specific aspects of ISO 4074 as required.

The proposal is intended to improve the quality of condoms by defining sampling and acceptability criteria in condom testing. No significant impact is expected because industry has assisted in the development of this proposal.

This initiative appeared in the 1991 Regulatory Plan as 386-HWC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

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HWC-32

Disposable Insulin Syringes

The proposed revision to Schedule VI of the Medical Devices Regulations alters the labelling and dead space volume (DSV) requirements for disposable insulin syringes and introduces test methodology for very fine insulin needles.

DSV in an insulin syringe results in a waste of insulin and can result in dosage errors when mixing different types of insulin. Technology now exists to produce insulin syringes with negligible DSV.

The proposal will bring the DSV currently permitted by Schedule VI in line with the state of technology, thereby preventing insulin waste and minimizing dosage errors. The new test methodology for very fine needles will ensure their quality and safety. This proposal is expected to have minimal impact on industry.

This initiative appeared in the 1991 Regulatory Plan as 387-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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HWC-33

Removal of Specific Cardiac Pacemakers from the Table to Part V

The proposed amendment will remove specific cardiac pacemakers, where technology is considered to have stabilized, from the table to Part V of the Regulations. It has been determined that bradycardia pacemakers are considered to fall within this category and will be removed from the table. These devices will continue to be subject to the safety and efficacy requirements of the Food and Drugs Act and the Medical Devices Regulations.

This initiative appeared in the 1991 Regulatory Plan as 388-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

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HWC-34

Removal of Specific Implantable Dental Materials from the Table to Part V

The proposed amendment will remove specific implantable dental materials, where technology is considered to have stabilized, from the table to Part V of the Regulations. It has been determined that dental materials intended to be attached only to non-vascularized tissue of the oral cavity and to have no direct access to systemic or lymphatic circulatory systems are considered to fall within this category and will be removed from the table. These devices will continue to be subject to the safety and efficacy requirements of the Food and Drugs Act and the Medical Devices Regulations.

This initiative appeared in the 1991 Regulatory Plan as 388-HWC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

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HWC-35

Labelling Requirements for Extended Wear Contact Lenses

The proposed schedule to the Medical Devices Regulations establishes additional labelling requirements for contact lenses designed or represented for prolonged wear in an effort to reduce the potential for incorrect use resulting in serious adverse health effects for users.

With the introduction of this schedule, contact lenses designed or represented for prolonged wear will be removed from the table to Part V of the Regulations, but will continue to be subject to the safety and efficacy requirements of the Food and Drugs Act and the Medical Devices Regulations.

This initiative appeared in the 1991 Regulatory Plan as 388-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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HWC-36

Labelling Requirements for Menstrual Tampons

The proposed schedule to the Medical Devices Regulations establishes additional labelling requirements for menstrual tampons in an effort to reduce the potential for incorrect use resulting in serious adverse health effects for users.

With the introduction of this schedule, menstrual tampons of specified absorbencies will be removed from the table to Part V of the Regulations, but will continue to be subject to the safety and efficacy requirements of the Food and Drugs Act and the Medical Devices Regulations.

This initiative appeared in the 1991 Regulatory Plan as 388-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-37

Standard for Hearing Aids

The proposed schedule to the Medical Devices Regulations establishes performance standards for hearing aids to ensure communication compatibility with telephones designed to be used with hearing aids.

The proposal is intended to ensure communication compatibility with telephones designed in compliance with the Canadian Standards Association telephone system standard, "Magnetic Output Requirements For Handset Telephones Intended For Use By The Hard Of Hearing," CAN3-T515-M85, September 1985. No significant impact is anticipated in view of the fact that industry is involved in the development of this proposal.

This initiative appeared in the 1991 Regulatory Plan as 389-HWC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-38

Removal of the 60-Day Review Period for New Device Submissions

The proposed amendment to Part V of the Medical Devices Regulations removes the 60-day statutory time limit for the review of new device submissions. In place of the statutory time limit, the branch will institute, and apprise industry of, administrative time frames that accurately reflect the time required to review new device submissions.

The amendment is expected to provide the branch with additional flexibility in the management of the new device review program, and enable manufacturers to better plan their business decisions by giving them an accurate estimate of the time required to review new device submissions.

This initiative appeared in the 1991 Regulatory Plan as 390-HWC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-39

Medical Devices – Exemption from Notification Requirements

The proposed amendment will exempt low-risk devices from the notification requirements of Part II of the Medical Devices Regulations. These devices will continue to be subject to the safety and efficacy requirements of the Food and Drugs Act and the Medical Devices Regulations.

Device notification material is used by the department to establish a registry of all devices sold in Canada. The registry is useful for monitoring trends in the types of devices sold in Canada, and for identifying manufacturers, importers and distributors who are active in the Canadian medical device marketplace. However, this information is not of particular use for low-risk devices.

The amendment is expected to result in resource savings for both the department and industry. Since only low-risk devices will be exempted, there will be no impact on public health. Devices for veterinary use are the first group to be identified for this proposal. Proposals for further exemptions will be published in branch information letters for public comment, but will continue to be subject to the safety and efficacy requirements of the Food and Drugs Act and the Medical Devices Regulations.

This initiative appeared in the 1991 Regulatory Plan as 391-HWC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-40

Housekeeping Amendments to the Medical Devices Regulations

This proposal is to make minor housekeeping amendments to the Medical Devices Regulations.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 392-HWC

Expected Date of Publication: As required

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-41

Computed Tomography X-ray Equipment

The proposed schedule to the Radiation Emitting Devices Regulations establishes standards of design and construction as well as standards of functioning for the safe use and operation of computed tomography X-ray equipment.

The proposal is intended to reduce the risk of unnecessary radiation exposure and inferior diagnostic information caused by the inadequate design or performance of computed tomography X-ray equipment. No significant impact is expected in view of the small number of units in Canada.

This initiative appeared in the 1991 Regulatory Plan as 393-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-42

Standard for Laser Equipment

There are many applications of lasers in the medical, industrial and research fields. The proposed schedule to the Radiation Emitting Devices Regulations establishes standards of design, construction and function, as well as labelling requirements, for all laser equipment.

The proposal is intended to reduce health hazards such as skin burns, retinal burns, visual receptor damage and corneal burns associated with the use of all types of laser equipment. No significant impact is expected in view of the fact that industry has assisted with the development of this proposal.

This initiative appeared in the 1991 Regulatory Plan as 394-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-43

Standard for Medical Electron Accelerators

The proposed schedule to the Radiation Emitting Devices Regulations establishes standards of design, construction and function, as well as labelling requirements for the installation, maintenance and safe operation and use of medical electron accelerators.

No substantial impact is anticipated because the proposal is supported by manufacturers and professional associations, and will parallel voluntary standards of a similar nature.

This initiative appeared in the 1991 Regulatory Plan as 395-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-44

Diagnostic X-ray Equipment

The proposed amendment to the Radiation Emitting Devices Regulations revokes the present standard for diagnostic X-ray equipment and replaces it with a new one which is compatible with internationally accepted standards, and which reflects the current state of technology in equipment design.

The proposal will prevent equipment of an advanced design from being withheld from the Canadian marketplace, or from having to undergo unnecessary modification to comply with the present standard.

No substantial impact is expected as manufacturers and professional associations have been involved in the development of the proposed standard.

This initiative appeared in the 1991 Regulatory Plan as 396-HWC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-45

Extra-oral Dental X-ray Equipment

The proposed amendment to the Radiation Emitting Devices Regulations revokes the present standard for extra-oral dental X-ray equipment and replaces it with a new one which is compatible with internationally accepted standards, and which reflects the current state of technology in equipment design.

The proposal will prevent equipment of an advanced design from being withheld from the Canadian marketplace, or from having to undergo unnecessary modification to comply with the present standard.

No substantial impact is expected as manufacturers and professional associations have been involved in the development of the proposed standard.

This initiative appeared in the 1991 Regulatory Plan as 397-HWC.

Expected Date of Publication: Third Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-46

X-ray Diffraction Equipment

The proposed amendment to Schedule II, Part XIV of the Radiation Emitting Devices Regulations will broaden the scope of the schedule to include other radiation emitting devices which share similar design features. Equipment such as X-ray spectrometers and analytical equipment will be included in the proposal, eliminating the need to prepare separate Regulations.

The additional X-ray warning labels required for this equipment will result in a minor cost to manufacturers.

This initiative appeared in the 1991 Regulatory Plan as 398-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-47

Television Receivers

The proposed amendment to Schedule II, Part I of the Radiation Emitting Devices Regulations will eliminate the need for a label previously required to appear on the internal chassis of a television receiver. Some of the information that appears on the chassis label will be incorporated into one of a possible two labels that will still be required. Other information from this chassis label will no longer be required. No significant impact is anticipated.

This initiative appeared in the 1991 Regulatory Plan as 399-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-48

Cabinet X-ray Equipment

The proposed amendment to Schedule II, Part XV of the Radiation Emitting Devices Regulations will make the requirements for compliance clearer and will reflect current technological advancements. The amendment will also be compatible, as much as possible, with international requirements for this type of equipment.

This is a new initiative, and no significant impact is anticipated.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-49

Housekeeping Amendments to the Radiation Emitting Devices Regulations

This proposal makes minor housekeeping amendments to the Radiation Emitting Devices Regulations.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 400-HWC

Expected Date of Publication: As required

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-50

Radiation Dosimetry Fees

The proposed amendments to the Radiation Dosimetry Fees Schedule are necessary to enable the dosimetry services provided by the Bureau of Radiation and Medical Devices to continue on a full cost recovery basis, in accordance with a decision by Treasury Board, TB 802851, dated 13 August 1986. Thermoluminescent and other dosimeters of an approved type are provided to workers in Canada where radiation emitting devices and materials are present in the work place. These dosimeters are checked periodically to measure the degree of radiation received by these workers. A national dose registry is maintained by the Bureau of Radiation and Medical Devices containing the lifetime-exposure records of all registered workers, thereby providing an early warning system of potential health-damaging exposure for each individual.

Fee increases established in relation to the dosimetry services provided will not have a serious impact on the public or on business. The proposed annual increases will have minimal impact on currently enrolled organizations.

This is a recurring initiative and appeared as 401-HWC in the 1991 Regulatory Plan.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-51

Housekeeping Amendments to the Tobacco Product Control Regulations

This proposal makes minor housekeeping amendments to the Tobacco Products Control Regulations.

This is a recurring initiative and appeared as 403-HWC in the 1991 Regulatory Plan.

Expected Date of Publication: As required

Contact: D.H. Correll, A/Chief, Legislative and Regulatory Processes, Environmental Health Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-3142

HWC-52

Aflatoxin

Aflatoxins are undesirable chemical substances produced by moulds growing on crops in the field or during storage. Nuts and seeds, such as pumpkin seeds, are particularly susceptible to aflatoxin producing moulds.

A maximum regulatory limit for aflatoxin in nuts and nut products has been established under the Food and Drug Regulations. This current Regulation, as it pertains to seeds and nuts, requires revision to reflect current technological capability and further enhance consumer protection.

Part of this initiative appeared in the 1991 Regulatory Plan as 404-HWC

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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HWC-53

Bottled Water

From a regulatory and monitoring viewpoint, bottled water has been treated no differently than any other food commodity. When the current standards for pre-packaged water and ice were developed in 1980 under Division 12 of the Food and Drug Regulations, bottled water was not considered to be a high consumption item. However, it is recognized that concerns relating to the environment and the quality of municipal water supplies have risen in recent years, and consequently, more people may be turning to bottled water as a total replacement for tap water. In light of this higher consumption, the existing standards may no longer be appropriate.

The Health Protection Branch is re-examining the existing standards for pre-packaged water and ice and plans to make appropriate revisions as required. While the review involves all aspects of bottled water quality and safety, emphasis is being placed on defining in more precise terms the different types of pre-packaged water currently on the market and specifying limits for various chemical contaminants, both natural and man-made, as deemed necessary. Where appropriate, such limits will be harmonized with current guidelines for drinking water. Consultations with affected industries have been initiated.

This initiative appeared in the 1991 Regulatory Plan as 405-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-54

Dioxins and Furans

Dioxins are a class of related organochlorine compounds which vary widely in toxicity. Certain members of this class of compounds have been associated with toxic effects including cancer and reproductive effects in experimental animals. Presently any food is adulterated if it contains chlorinated dibenzo-dioxins. However, a specific exception has been made for fish which contains 20 parts per trillion or less of the dioxin isomer 2,3,6,8-tetrachlorodibenzo-paradioxin. Situations can arise in which dioxin isomers may be detected in other foods. The Regulations will be revised to deal with the presence of dioxins in foods.

This initiative will also deal with the presence of a related class of compounds known as furans which are presently not specifically regulated.

This initiative appeared in the 1991 Regulatory Plan as 406-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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HWC-55

Food Allergens

Allergic-type reactions to food can represent a serious health issue to those people who are susceptible to such reactions. For such individuals, the only solution is to avoid the foods, ingredients or food additives which cause their adverse reactions.

The Health Protection Branch, in conjunction with various private sector agencies such as the Allergy Information Association and the Canadian Restaurant and Foodservices Association has in recent years been involved in finding ways of minimizing the potential for the occurrence of such adverse reactions. The development of sound educational materials and better means of communicating information on potential allergens have been the focus of this effort to date.

A review of existing food-labelling Regulations in terms of how such Regulations could be revised to improve consumer protection is the appropriate next step in this process. This review has been initiated and regulatory amendments will be proposed accordingly.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

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HWC-56

Alpha-linolenic Acid in Infant Formula

Alpha-linolenic acid is now recognized as an essential nutrient. A recommended intake was established in the 1990 revision of the Recommended Nutrient Intakes. A proposed amendment to Division 25 of the Food and Drug Regulations to require a minimum level of alpha-linolenic acid in infant formula appeared as Schedule No. 781 in *Canada Gazette*, Part I on 9 February 1991. Comments are under review.

This initiative appeared in the 1991 Regulatory Plan as 408-HWC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

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HWC-57

Very Low-Calorie Diets

Proposals to permit the sale of foods for very low calorie diets (less than 900 calories per day) were published as Schedule No. 766 in *Canada Gazette*, Part I on 1 December 1990. Comments are under review.

This initiative appeared in the 1991 Regulatory Plan as 408-HWC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

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HWC-58

Foods Naturally Low in Sodium

Proposals to amend Division 24 of the Food and Drug Regulations to permit foods that are by their nature low in sodium to be described as low-sodium foods will be published for comment in *Canada Gazette*, Part I.

This initiative appeared in the 1991 Regulatory Plan as 408-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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HWC-59

Foods for Use in Weight Reduction Diets

Proposals to amend Division 24 of the Food and Drug Regulations to include foods sold in weight loss clinics in the categories of foods that may be sold for use in weight reduction diets and to amend the nutritional requirements for meal replacements in line with the 1990 Recommended Nutrient Intakes were published for comments as information letters No. 770 and No. 793. Proposed amendments to Division 24 will be developed in the light of the comments received.

This initiative appeared in the 1991 Regulatory Plan as 408-HWC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1993, *Canada Gazette*, Part II

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HWC-60

Notification of Filing of a Food Additive Submission in *Canada Gazette*, Part I

The notice of filing of a food additive submission is not required to be published for public information. In order to provide transparency of the process, Division 16, Part B of the Food and Drug Regulations will be amended to require notification of the filing of a food additive submission in the *Canada Gazette*, Part I. A similar provision has been in force for a number of years in the food regulatory system of the United States and has not impeded technological progress in the American food industry.

This initiative appeared in the 1991 Regulatory Plan as 407-HWC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

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HWC-61

Enrichment of Alimentary Pastes

Current Canadian requirements for the enrichment of alimentary pastes differ from those in the United States. The Health Protection Branch has received submissions from Canadian manufacturers requesting that the Regulations be amended to permit them to market the same product in both Canada and the U.S. Under the Canada/U.S. Free Trade Agreement every effort is expected to be made on the part of both countries to harmonize or make equivalent Regulations which could become technical barriers to trade while at the same time ensuring consumer protection.

This initiative appeared in the 1991 Regulatory Plan as 411-HWC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-62

Harmonization of Food Compositional Standards

Minor compositional differences of no significance to public health exist between certain food standards under the Food and Drug Regulations and the corresponding food standards under the Dairy Products Regulations and the Processed Products Regulations. Those food standards under the Food and Drug Regulations will be reviewed and modified to align them with other regulatory standards, as necessary.

In line with the government policy, these revisions will harmonize standards and ensure that the same standard has the same meaning and interpretation across the food regulatory system. This revision will therefore be of benefit to both consumers and the regulated food industry.

This initiative appeared in the 1991 Regulatory Plan as 412-HWC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-63

Emergency Regulations

In the event of a confirmed public health hazard in the food supply, emergency Regulations may be required to protect the public.

The impact cannot be foreseen, but the public health benefits require the imposition of any costs associated with such emergency Regulations.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 413-HWC.

Expected Date of Publication: As required

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-64

Distilled Alcoholic Beverages

In response to a request received by the Association of Canadian Distillers, Regulations pertaining to distilled alcoholic beverages will be revised to reflect current practices that have evolved within the industry. This proposal will modernize and provide more clearly defined standards which will allow manufacturers greater flexibility to implement technological innovation and thus could increase access and competitiveness in the world market. The impact is expected to be minimal since the revised standards will reflect current technology and practice within the industry while maintaining recognition of unique distilled alcoholic beverages such as Canadian whisky.

This initiative appeared in the 1991 Regulatory Plan as 414-HWC. The proposal was published in the *Canada Gazette*, Part I on 24 August 1991.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-65

Housekeeping Amendments to Food Regulations

Typographical, spelling, translation, numbering and other inconsistencies inadvertently introduced into the Regulations will be corrected.

No impact is anticipated. Proposals will correct amendments previously considered to be consistent with the Regulatory Policy and the Citizens' Code of Regulatory Fairness.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 415-HWC.

Expected Date of Publication: As required

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-66

Routine Enabling Amendments Under the Food and Drug Regulations

This proposal covers a range of routine submissions requesting amendments to the Food and Drug Regulations respecting the maintenance or improvement of nutritional quality of foods; the microbiological and chemical safety of foods, including the establishment of safe maximum residue limits for agricultural chemicals in foods; and the establishment of maximum levels for food additives.

The anticipated impact of these proposals will be minimal, or they will be shown as specific entries.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 416-HWC.

Expected Date of Publication: Since these are contingent on submissions being made to the Health Protection Branch, it is impossible to predict the dates of prepublication.

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-67

Fat Content of Ground Meat

Under the Food and Drug Regulations the maximum fat content levels for ground beef are set at 30 per cent for regular, 23 per cent for medium and 17 per cent for lean. Consultations with interested parties have taken place for the purpose of reconciling these maximum fat content levels with marketplace conditions and the Nutrition Recommendations issued in 1990. The scope of the regulatory standards will also be expanded to include all ground meat species.

This initiative appeared in the 1991 Regulatory Plan as 417-HWC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: B.L. Smith, Chief, Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-68

Phosphates in Meat and Poultry Products

The addition of a minimal amount of phosphate salts results in the incorporation of water while enhancing the organoleptic properties of meat and poultry products. Phosphate use has not been permitted in Canada. However, its use has been permitted by our trading partners. In order to harmonize our existing practices with those of our trading partners, while maintaining product safety, quality and nutrient content, Regulations will be introduced to permit the limited use of phosphate salts in these foods.

A similar initiative appeared in the 1989 Regulatory Plan as 534-HWC. Extensive consultation has resulted in the modified proposals that will be introduced in 1992.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

HWC-69

Herbs and Botanical Preparations

The use of these products in foods or as foods is increasing in Canada. However, the majority of Canadians are not familiar with many of them. As a result the potential exists for the improper use or incorrect identification of herbs and botanical preparations in foods or as foods. Regulations will be proposed which will identify potentially harmful herbs and botanical preparations and limit their use in foods.

A similar initiative appeared in the 1989 Regulatory Plan as 531-HWC. Extensive consultations have resulted in the revised proposals that will be introduced in 1992.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: B.L. Smith, Chief, Food Regulatory, International and Interagency Affairs Division, Food Directorate, Health Protection Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L2. Tel. (613) 957-1748

Income Security Programs Branch

HWC-70

Schedule of International Agreements – Canada Pension Plan

Schedule IX to the Canada Pension Plan Regulations is being revoked. The schedule lists those countries with which Canada has entered into an international social security agreement and the date benefits first became payable under each agreement. The original purpose of the schedule was to keep the public informed of the introduction of such international agreements. However, as the information is generally out-of-date, other communication vehicles are being used to more effectively meet this objective.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 420-HWC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Terry de March, A/Chief, Legislation, Programs Policy, Appeals and Legislation, Health and Welfare Canada, 8th Floor, Tower B, Place Vanier, 355 River Road, Ottawa, Ontario, K1A 0L1. Tel. (613) 957-1626

HWC-71

Schedule of International Agreements – Old Age Security

The schedule to the Old Age Security Regulations is being revoked. The schedule lists those countries with which Canada has entered into an international social security agreement and the date benefits first became payable under each agreement. The original purpose of the schedule was to keep the public informed of the introduction of such international agreements. However, as the information is generally out-of-date, other communication vehicles are being used to more effectively meet this objective.

This initiative appeared in the 1991 Regulatory Plan as 422-HWC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Terry de March, A/Chief, Legislation, Programs Policy, Appeals and Legislation, Health and Welfare Canada, 8th Floor, Tower B, Place Vanier, 355 River Road, Ottawa, Ontario, K1A 0L1. Tel. (613) 957-1626

HWC-72

Method and Timing of Family Allowances Payments

These changes will allow for methods of payment of family allowances benefits other than by cheque and will remove the restrictions on what time during a month a benefit will be paid. This change will provide administrative flexibility to institute new procedures for paying benefits.

This initiative appeared in the 1990 Regulatory Plan as 386-HWC but was not included in the 1991 Plan.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: Terry de March, A/Chief, Legislation, Programs Policy, Appeals and Legislation, Health and Welfare Canada, 8th Floor, Tower B, Place Vanier, 355 River Road, Ottawa, Ontario, K1A 0L1. Tel. (613) 957-1626

HWC-73

Old Age Security Residence

These Regulations will enable a more equitable determination of the number of years of residence in Canada for Old Age Security benefits in situations where individuals resident in Canada have periods of absence from Canada.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Terry de March, A/Chief, Legislation, Programs Policy, Appeals and Legislation, Health and Welfare Canada, 8th Floor, Tower B, Place Vanier, 355 River Road, Ottawa, Ontario, K1A 0L1. Tel. (613) 957-1626

Medical Services Branch

HWC-74

Sanitation Regulations for Common Carriers

The proposal is to issue certificates for food establishments and water systems complying with the Regulations. The Regulations govern food handling and storage and the source and supply of potable water on board a conveyance, or service ancillary to a conveyance, operated by common carriers. These activities and Regulations will increase public health protection. A small increase in costs to the department and industry is anticipated and will be defined later.

This initiative appeared in the 1991 Regulatory Plan as 423-HWC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Senior Program Advisor, Environmental Health Services Division, Public Service Health Directorate, Medical Services Branch, Health and Welfare Canada, Ottawa, Ontario, K1A 0L3. Tel. (613) 957-3428

Indian and Northern Affairs Canada

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General Information

Roles and Responsibilities

Indian and Northern Affairs Canada (INAC) was established in 1966 by the Department of Indian Affairs and Northern Development Act which gives the Minister responsibility for Indian, Inuit and northern affairs, including provincial-type responsibilities for the people and natural resources associated with Indian reserves, Yukon and the Northwest Territories as well as responsibility for some programs and services for status Indians off-reserve. INAC places policy emphasis on supporting the devolution of responsibilities to native and territorial governments, promoting the development of Indian self-government and encouraging viable economic development to support self-government. INAC's regulatory responsibilities are administered by the Indian and Inuit Affairs Program and the Northern Affairs Program.

Legislative Mandate

The Indian and Inuit Affairs Program is responsible for fulfilling federal legal obligations arising from treaties and statutes concerning aboriginal people; providing for the delivery of basic services (education, social assistance, housing, community infrastructure) to status Indians and Inuit; assisting Indians and Inuit to acquire employment skills and to develop viable businesses; negotiating the settlement of accepted claims relating to aboriginal rights (not dealt with by treaty or other means) or past unfulfilled federal legal obligations; advancing aboriginal self-government through legislative, policy and administrative changes; and supporting discussions to clarify the rights of aboriginal people under the Canadian Constitution.

The Indian and Inuit Affairs Program administers, in whole or in part:

- Alberta Natural Resources Act
- British Columbia Indian Cut-off Lands Settlement Act
- British Columbia Indian Reserves Mineral Resources Act
- Caughnawaga Indian Reserve Act
- Cree-Naskapi (of Quebec) Act
- Department of Indian Affairs and Northern Development Act
- Fort Nelson Indian Reserve Minerals Revenue Sharing Act
- Grassy Narrows and Islington Indian Bands Mercury Pollution Claims Settlement Act
- Indian Act
- Indian Lands (Settlement of Differences) Act
- Indian Lands Agreement (1986) Act
- Indian Oil and Gas Act
- Indian (Soldier Settlement) Act
- James Bay and Northern Quebec Native Claims Settlement Act
- Manitoba Natural Resources Act
- Manitoba Supplementary Provisions Act
- Natural Resources Transfer (School Lands) Amendment Act
- New Brunswick Indian Reserves Agreement Act
- Nova Scotia Indian Reserves Agreement Act
- Public Lands Grants Act
- Railway Belt Act
- Railway Belt and Peace River Block Act
- Railway Belt Water Act
- St. Peters Indian Reserve Act
- St. Regis Indian Reserve Act
- Saskatchewan Natural Resources Act
- Sechelt Indian Band Self-Government Act
- Songhees Indian Reserve Act

The Northern Affairs Program is responsible for co-ordinating federal activity and programming in the North; providing transfer payments to the governments of Yukon and the Northwest Territories (to assist them in providing public services to territorial residents); fostering northern science and technology and providing a focus for circumpolar affairs; supporting the balanced development of the North through the management of natural resources (oil and gas, minerals, water and lands), protection and management of the northern natural environment (including Arctic seas), fostering economic and employment opportunities for northerners, and funding social and cultural programs; and pursuing northern political development through devolution, program transfers, balanced economic development and the protection of aboriginal rights.

The Northern Affairs Program administers, in whole or in part:

- Arctic Waters Pollution Prevention Act
- Canada Lands Surveys Act, Part III
- Canada Petroleum Resources Act
- Condominium Ordinance Validation Act
- Department of Indian Affairs and Northern Development Act
- Dominion Water Power Act
- Land Titles Act
- Northern Canada Power Commission (Share Issuance and Sale Authorization) Act
- Northern Canada Power Commission (Yukon Assets Disposal Authorization) Act
- Northern Inland Waters Act
- Northwest Territories Act
- Oil and Gas Production and Conservation Act
- Public Lands Grants Act
- Territorial Lands Act
- Western Arctic (Inuvialuit) Claims Settlement Act
- Yukon Act
- Yukon Placer Mining Act
- Yukon Quartz Mining Act

Self-Government

INAC-1

Cree-Naskapi Band Expropriations

These Regulations will establish the substantive and procedural requirements for expropriations by the Cree bands and the Naskapi band of northern Quebec for community purposes or community works, of rights and interests in Category 1A or 1A-N lands (lands under federal jurisdiction) or in buildings situated thereon. The Regulations will apply only to the Category 1A and 1A-N lands of the eight Cree bands and the Naskapi band of northern Quebec (population 10 000).

Because of their limited application, these Regulations will have little or no impact on the Canadian economy. Furthermore, there will be no financial costs to the federal government associated with these Regulations.

This initiative appeared in the 1991 Regulatory Plan as 424-INAC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: C.H. Ryan, Operations Officer, Self-Government, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 953-6576

INAC-2

Cree-Naskapi Special Band Meetings

These Regulations will govern special band meetings of the Cree and the Naskapi bands. They will include provisions respecting the calling and conduct of meetings, including voting at meetings and the preparation and keeping of records of votes taken. However, the Regulations will apply only if, at the time of the calling of a special band meeting, there is no special band meeting by-law in force. The Regulations will apply only to the eight Cree bands and the Naskapi band of northern Quebec (population 10 000).

Because their application will be very limited, these Regulations will have no impact on the Canadian economy. Furthermore, there will be no financial costs to the federal government associated with the Regulations.

This initiative appeared in the 1991 Regulatory Plan as 425-INAC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C.H. Ryan, Operations Officer, Self-Government, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 953-6576

INAC-3

Cree-Naskapi Band Referenda

These Regulations will govern band referenda of the Cree and the Naskapi bands. They will include provisions respecting the calling and conduct of referenda including voting in referenda and the preparation and keeping of records of votes taken. However, the Regulations will apply only if, at the time of the calling of a band referendum, there is no band referenda by-law in force. These Regulations will apply to the eight Cree bands and the Naskapi band of northern Quebec (population 10 000).

Because their application will be very limited, these Regulations will have no impact on the Canadian economy. Furthermore, there will be no financial costs to the federal government associated with the Regulations.

This initiative appeared in the 1991 Regulatory Plan as 426-INAC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C.H. Ryan, Operations Officer, Self-Government, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 953-6576

INAC-4

Inuk of Fort George Observer

An amendment is required to clarify the wording of Section 8 of the Inuk of Fort George Observer Regulations which were made on 14 August 1986. The Inuit community of Fort George (Chisasibi) represents a small minority of the total population of the community. These Regulations ensure that the Inuit community is represented on the band council. The Regulations apply only to the community of Fort George (Chisasibi), population 2 500.

Because of their limited application, these Regulations have no impact on the Canadian economy. Furthermore, there are no financial costs to the federal government associated with these Regulations.

This initiative appeared in the 1991 Regulatory Plan as 427-INAC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: C.H. Ryan, Operations Officer, Self-Government, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 953-6576

Lands, Revenues and Trusts

INAC-5

Authority for Specific Agreement – Ontario

In July 1988, Parliament enacted the Indian Lands Agreement (1986) Act which provides the legislative authority for Canada, Ontario and individual Indian bands to enter into specific agreements relating to lands or natural resources. The Act requires band confirmation of a specific agreement either by a referendum conducted pursuant to Regulations made by the Governor in Council under authority of the Act, or pursuant to the band's custom or constitution. It is anticipated that most bands will confirm specific agreements by referendum. It is proposed that Regulations be made to govern the conduct of referenda required to enable bands to confirm specific agreements negotiated pursuant to the Act. Specific agreements may provide for the return to bands of some 200 000 acres of unsold surrendered lands in Ontario, or the provision to bands of compensation for these lands. The specific agreements may also provide increased mineral revenues to bands as Ontario now has legislative authority to waive its 50 per cent share of mineral revenues on Ontario reserves.

This initiative appeared in the 1991 Regulatory Plan as 428-INAC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Hubert Ryan, Chief, Land Entitlement and Registrar of Indian Lands, Lands, Revenues and Trusts, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 994-2990

INAC-6

Indian Estates

Section 13 of the current Indian Estates Regulations provides that moneys or assets held by the Minister of Indian Affairs and Northern Development shall be held in a special account without interest. The changes under development will amend the current Regulations to delete the provision providing that absent or missing heir accounts are held without interest. A concurrent application will be made to Treasury Board in order to establish an appropriate rate of interest to pay on these accounts.

There will be limited, if any, overall impact on the Canadian economy.

This initiative appeared in the 1991 Regulatory Plan as 429-INAC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Robinson, Band Governance and Estates, Lands, Revenues and Trusts, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 994-0527

Economic Development

INAC-7

Indian Oil and Gas

Amendments to the Indian Oil and Gas Regulations have been developed by a committee made up of Indian people and departmental officials. The amendments will increase band participation and involvement in the management of their oil and gas resources as well as establish requirements for additional technical information to be provided by industry contract holders to both the bands and the department. The amendments do not call for new expenditures of federal money nor do they entail major changes in government policy. The amendments have been discussed with industry representatives including the Canadian Petroleum Association, the Independent Petroleum Association of Canada and the Canadian Association of Petroleum Landsmen.

This initiative appeared in the 1991 Regulatory Plan as 430-INAC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Fourth Quarter, 1991, *Canada Gazette*, Part II

Contact: Jim Eickmeier, Chief Executive Officer, Indian Oil and Gas Canada, Suite 654, 220 4th Ave., S.E., P.O. Box 2924, Calgary, Alberta, T2G 4X3. Tel. (403) 292-5625

Northern Affairs

INAC-8

Federal Government Employee Land Acquisitions

In 1992, approximately 10 Orders-in-Council under the Territorial Lands Act will be required to authorize employees of the Government of Canada to acquire interests in Crown lands in the Northwest Territories or Yukon. These Orders will also ensure conformity with the federal government's conflict-of-interest guidelines. Employees or their spouses routinely acquire territorial lands for residences, cottages or commercial interests.

These Orders will have no impact on the general public, although employees and their families may suffer financial or personal hardship if the Order is not approved in a timely manner.

This initiative appeared in the 1991 Regulatory Plan as 431-INAC.

Expected Date of Publication: Various dates throughout 1992

Contact: J.I. Sneddon, Chief, Land Management, Environmental and Renewable Resources, Natural Resources and Economic Development, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-9090

INAC-9

Territorial Lands

The Territorial Lands Regulations govern the disposition of Crown land in Yukon and the Northwest Territories. They are outdated and procedures need to be streamlined. The new Regulations will be made pursuant to both the Territorial Lands Act and Public Lands Grants Act to provide for the administration of land within the territories and the adjacent offshore areas. The requirement for a security deposit in some cases will ensure greater control over site rehabilitation and environmental management. The fee structure will be modified to reflect current prices in the rest of Canada and governmental cost-recovery policies. Consultations with northern interest groups and affected parties have been ongoing.

This initiative appeared in the 1991 Regulatory Plan as 432-INAC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J.I. Sneddon, Chief, Land Management, Environment and Renewable Resources, Natural Resources and Economic Development, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, KIA 0H4. Tel. (819) 997-9090

INAC-10

Reindeer – Northwest Territories

The Northwest Territories Reindeer Regulations provide for the management and protection of reindeer in the Northwest Territories. The Minister of Indian Affairs and Northern Development has agreed to begin negotiations to transfer responsibility for the management and protection of reindeer in the Northwest Territories to the Government of the Northwest Territories. Therefore, as part of this process, the Regulations will be revoked. Responsibility for reindeer management will be transferred to the Government of the Northwest Territories.

This initiative appeared in the 1991 Regulatory Plan as 433-INAC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: F. McFarland, Chief, Biological Resources, Natural Resources and Economic Development, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-9621

INAC-11

Yukon Forest Protection

The Yukon Forest Protection Regulations provide for forest protection on territorial lands in Yukon. The department is in the process of transferring the forestry program to the Government of Yukon. When the transfer is finalized, a territorial ordinance will replace the Regulations. An Order-in-Council is required to repeal the Regulations upon finalization of the transfer.

The immediate impact of this regulatory initiative will be low as the same people will be carrying out the same program but under a new authority.

This initiative appeared in the 1991 Regulatory Plan as 434-INAC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.I. Sneddon, Chief, Land Management, Environment and Renewable Resources, Natural Resources and Economic Development, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-9090

INAC-12

Yukon Timber

The Yukon Timber Regulations govern the disposition of timber cutting rights in Yukon. The department is in the process of transferring the forestry program to the Government of Yukon. When the transfer is finalized, a territorial ordinance will replace the Regulations. An Order-in-Council is required to repeal the Regulations upon finalization of the transfer.

The immediate impact of this regulatory initiative will be low as the same people will be carrying out the same program but under a new authority.

This initiative appeared in the 1991 Regulatory Plan as 435-INAC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.I. Sneddon, Chief, Land Management, Environment and Renewable Resources, Natural Resources and Economic Development, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-9090

INAC-13

Placer Mining Authority

General Enterprises operates a sand and gravel quarry within the townsite boundaries of Whitehorse, Yukon. The operator has discovered that small amounts of placer gold may be processed from the sand and gravel at a profit. Paragraph 17(2)(g) of the Yukon Placer Mining Act permits the mining of placer deposits within the boundaries of a city, town or village under Regulations approved by the Governor in Council. The proposed Regulations, which will provide that authority, are supported by the Government of Yukon and the Municipality of Whitehorse.

This initiative appeared in the 1991 Regulatory Plan as 436-INAC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J.M. Hodgkinson, Chief, Mining Legislation and Resource Management, Mining and Infrastructure, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 994-6434

INAC-14

Yukon Mining Lease Renewals

Section 101 of the Yukon Quartz Mining Act requires Governor-in-Council authority to set terms and conditions for the second (and subsequent) renewal of mining leases issued under the Act. Although the Section grants the right of second renewal to a lessee, the Governor in Council has the discretionary authority to set the terms and conditions which will be included in the second renewal of the lease. This will affect numerous mining leases renewable for a 21-year period.

This initiative appeared in the 1991 Regulatory Plan as 438-INAC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J.M. Hodgkinson, Chief, Mining Legislation and Resource Management, Mining and Infrastructure, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 994-6434

INAC-15

Yukon Work Relief Orders

In 1978, in order to set aside land for a national park and other conservation purposes, Order-in-Council P.C. 1978-2195 withdrew certain lands in the northern Yukon from dispositions such as mining. At the time there were 332 mineral claims in good standing in the area. To avoid land and other disturbances in the area until a proper management regime could be put in place, the Yukon Quartz Mining Act Work Relief Regulations were instituted to reduce the amount of exploratory work being done on the mineral claims. In addition, through the native claims settlement process for Yukon, the Kluane Tribal Council has outlined an area which it considers to be sensitive to major disturbances and which contains a large number of mineral claims in good standing. Work Relief Orders will be instituted for both areas and will expire 31 December 1994.

In accordance with the Yukon Quartz Mining Act, a claim holder must perform $100 worth of exploratory work each year. The Work Relief Regulations waive the work requirement if the claim holder so wishes, but do not restrict current claim holders; they do not prevent the claim holders from exercising their right to work the claim. The Orders encourage the reduction or elimination of work done which facilitates protection of the area until the appropriate management regimes are put in place.

This initiative appeared in the 1991 Regulatory Plan as 439-INAC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J.M. Hodgkinson, Chief, Mining Legislation and Resource Management, Mining and Infrastructure, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 994-6434

INAC-16

Yukon Mining – Staking Prohibitions

In 1992, approximately 16 Orders-in-Council under the Yukon Placer Mining Act and the Yukon Quartz Mining Act will be required to prohibit the staking of claims and prospecting for precious minerals on certain lands in Yukon that are required for various public purposes. Prohibition Orders have been used consistently over the years to protect lands required to meet certain public policy objectives, including the settlement of native land claims. Only the prospecting and staking of new claims will be prohibited. The holders of claims in good standing retain all existing rights without interference. Lapsed claims, however, cannot be restaked.

This initiative appeared in the 1991 Regulatory Plan as 440-INAC.

Expected Date of Publication: Various dates throughout 1992

Contact: J.I. Sneddon, Chief, Land Management, Environment and Renewable Resources, Natural Resources and Economic Development, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-9090

INAC-17

Canada Mining

On 17 December 1987, the Canada Mining Regulations were amended to simplify the procedures and process and, in accordance with a request by the Standing Joint Committee for the Scrutiny of Regulations, reduce or eliminate discretionary powers given to government officials. The Committee noted several discrepancies between the English and French versions of the amendment. A further amendment to the Regulations will be made to ensure that no doubt arises as to their interpretation.

This initiative appeared in the 1990 Regulatory Plan as 407-INAC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: J.M. Hodgkinson, Chief, Mining Legislation and Resource Management, Mining and Infrastructure, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 994-6434

INAC-18

Coal – Yukon and Northwest Territories

Subsection 39(7) and Paragraph 39(8)(b) of the Territorial Coal Regulations provide limited relief from the requirement under Subsection 39(3) for the licensee to spend, during the year, a specified amount on coal exploration on the land for which the licence was issued. The amendments will include revised wording for Subsection 39(7) and Paragraph 39(8)(b) to address concerns raised by the Standing Joint Committee for the Scrutiny of Regulations on discretionary powers given to a government official. Subsection 39(7) will also be expanded to include the same set of unforeseen circumstances as are contained in the Canada Mining Regulations. At the same time, subsections 21(1) and 21(3) will be revoked to simplify the administrative process and reduce staking costs to the industry. (These subsections restrict staking in a manner which is inconsistent with the principles embodied in other Canadian mining legislation.)

This initiative appeared in the 1990 Regulatory Plan as 404-INAC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: J.M. Hodgkinson, Chief, Mining Legislation and Resource Management, Mining and Infrastructure, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 994-6434

INAC-19

Yukon Business Loans

The Yukon Business Loans Regulations established a loan fund which has been dormant for several years. Similar programs have been developed by the Yukon Government in recent years which make the continuation of the fund unnecessary. An Order-in-Council is required to revoke the Regulations and dissolve the loan fund.

There are no financial implications associated with the revocation.

This initiative appeared in the 1991 Regulatory Plan as 441-INAC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: R. MacKay, Chief, Economic Programs, Constitutional Development and Strategic Planning, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 994-6823

INAC-20

Archaeological Sites – Yukon and Northwest Territories

These Regulations govern the examination, disposition and removal of historical and archaeological resources found in Yukon and the Northwest Territories. Overall responsibility for archaeology has already been transferred to the commissioners of Yukon and the Northwest Territories. Amendments to the Regulations, pursuant to the Yukon Act and the Northwest Territories Act, will allow the Minister of Indian Affairs and Northern Development to delegate authority for these Regulations, to the commissioners of Yukon and the Northwest Territories respectively. There will be no changes to the Regulations other than the change in responsibility for their implementation.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: S.M. Meldrum, Senior Analyst, Federal-Territorial Relations, Political Development and Aboriginal Affairs, Constitutional Development and Strategic Planning, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-9336

INAC-21

Canada Oil and Gas Installations

The Oil and Gas Production and Conservation Act provides for the making of Regulations prescribing minimum acceptable standards for the construction, alteration or use of works, machinery and plants used in the exploration for and development and production of oil and gas. In addition, it allows for regulation of the safety aspects of oil and gas activity. The proposed Regulations will establish performance criteria for the various components of a superstructure to ensure that operations will be carried out in a safe environment.

The petroleum industry already adheres to the design and operating principles set out in the proposed Regulations. With the exception of certain provisions imposing more rigorous standards due to the exceptional environmental conditions found in the Canadian offshore, the performance standards contained in the proposed Regulations are similar to those adopted by most offshore oil-producing countries.

This initiative appeared in the 1991 Regulatory Plan as 82-COGLA. This initiative is the same as EMR-1.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Tanguay, Director, Northern Oil and Gas, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-0878

INAC-22

Canada Certificate of Fitness

The Oil and Gas Production and Conservation Act authorizes the making of Regulations that prescribe minimum acceptable standards for the construction, alteration or use of any equipment, works, plants and appliances. In order to ensure that these standards are met by the petroleum industry in relation to offshore installations and structures, an independent third party known as a Certifying Authority will be required to confirm to the Regulator that the installation has been designed, constructed and installed in accordance with the applicable Regulations and is fit for the purpose for which it is intended. This confirmation will be in the form of a Canada Certificate of Fitness issued by the Certifying Authority. The proposed Canada Certificate of Fitness Regulations will define which companies can issue the certificates and prescribe the criteria for issuance.

Certificates of Fitness have long been recognized and required internationally and are thus not new to the petroleum industry. However, the requirement for Certificates of Fitness in Canada will impose an additional financial burden on the industry as it will be the proponent's responsibility to obtain and pay for the certificate.

This initiative appeared in the 1991 Regulatory Plan as 85-COGLA. This initiative is the same as EMR-9.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Tanguay, Director, Northern Oil and Gas, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-0878

INAC-23

Canada Oil and Gas Geophysical

The Oil and Gas Production and Conservation Act (OGPCA) provides for the making of Regulations respecting safety, conservation practices and the prevention of pollution in operations for the exploration for and production of oil and gas. These Regulations will provide specifically for the authorization and regulation of geophysical operations and ensure the safety and protection of the environment for geophysical operations in areas covered by the OGPCA.

The oil and gas industry has been operating with the draft Canada Oil and Gas Geophysical Regulations for a number of years. In addition, the Canadian Petroleum Association, the Independent Petroleum Association of Canada and technical associations within the industry have been consulted for their views on the formulation of these Regulations.

Promulgation of the proposed Regulations is not anticipated to have any incremental impact on the petroleum industry.

This initiative appeared in the 1991 Regulatory Plan as 90-COGLA. This initiative is the same as EMR-6.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Tanguay, Director, Northern Oil and Gas, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-0878

INAC-24

Frontier Lands Petroleum Land Division and Survey

The relevant portions of the existing Canada Oil and Gas Land Regulations dealing with land division and survey were prepared on the basis of the 1927 North American Datum pursuant to the Territorial Lands Act and the Public Lands Grants Act. With the creation of a new satellite survey system, North American Datum 1983, which was announced by the Minister of Energy, Mines and Resources in May 1989, more accurate methods of surveying have been developed. New Regulations are being produced to reflect this technological advance.

The proposed Regulations were suggested by the Canadian Petroleum Association and the Independent Petroleum Association of Canada. The industry is in favour of the greater degree of accuracy by new surveying methods provided.

This initiative appeared in the 1991 Regulatory Plan as 93-COGLA. This initiative is the same as EMR-23.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: J. Tanguay, Director, Northern Oil and Gas, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-0878

INAC-25

Canada Oil and Gas Production and Conservation

These Regulations establish the minimum requirements for all persons engaged in the development and production of oil and gas on lands under federal jurisdiction. When the Canada Certificate of Fitness Regulations come into practice, the Canada Oil and Gas Production and Conservation Regulations will need amending in order to reference the Certificate of Fitness requirements.

No significant impact on the petroleum industry is expected as a result of this initiative.

This initiative appeared in the 1990 Regulatory Plan as 90-COGLA. This initiative is the same as EMR-12.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Tanguay, Director, Northern Oil and Gas, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-0878

INAC-26

Canada Oil and Gas Drilling

These Regulations were first promulgated in 1979 under the Oil and Gas Production and Conservation Act (OGPCA). They set out the regulatory requirements that operators must follow if they wish to undertake drilling operations on lands under federal jurisdiction. The proposed amendments will reflect the certificate of fitness requirements as introduced in the Canada Certificate of Fitness Regulations. The amendments will also update the Regulations in accordance with provisions in the OGPCA for authorizations of drilling activity.

The amendments do not change, in substance, the current regime for authorizing drilling activities, and no significant impact on the petroleum industry is expected.

This initiative appeared in the 1990 Regulatory Plan as 88-COGLA. This initiative is the same as EMR-13.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Tanguay, Director, Northern Oil and Gas, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-0878

INAC-27

Canada Oil and Gas Diving

These Regulations were first promulgated in 1988 under the Oil and Gas Production and Conservation Act (OGPCA). They set out the regulatory requirements that operators must follow if they wish to undertake diving operations in areas subjected to the OGPCA. When the Canada Certificate of Fitness Regulations come into practice, the Canada Oil and Gas Diving Regulations will need amending in order to reference the Certificate of fitness requirements.

No significant impact is expected as a result of this initiative.

This is a new initiative. This initiative is the same as EMR-16.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Tanguay, Director, Northern Oil and Gas, Northern Affairs, Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Tel. (819) 997-0878

Labour Canada

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General Information

Roles and Responsibilities

The regulatory responsibilities of Labour Canada apply to employees across Canada who work for an industry or enterprise which is considered a federal undertaking or business. These include industries operating in interprovincial or international rail, road and pipeline transportation, shipping and related services, air transportation, interprovincial and international telecommunications, banks and certain Crown corporations. Industries declared by Parliament to be for the general advantage of Canada, such as uranium mining are also included. Furthermore, Part II of the Canada Labour Code (Occupational Safety and Health) applies to the Public Service of Canada. All non-federal industries in the Yukon and the Northwest Territories are also under federal labour jurisdiction with respect to Part I (Industrial Relations) of the Canada Labour Code.

The objectives of the Department of Labour are to promote and sustain stable industrial relations, fair and equitable conditions of work (including equal wages for work of equal value) and a working environment conducive to physical and social well-being; to protect the rights and interests of the parties; to promote equitable access to employment opportunities; and to foster a climate for improved consultation and communication among government, labour and management.

The departmental regulatory activities include mediation and conciliation; general labour services including labour standards and occupational safety and health; the Labour Adjustment Benefits Program (LAB); and injury compensation respecting government employees and merchant seamen.

The mediation and conciliation activity, through the Federal Mediation and Conciliation Service, fulfills the statutory responsibility under the Canada Labour Code, Part I, for the prevention and settlement of industrial disputes and for the resolution of labour-management conflict in the federal private sector. It also provides industrial relations expertise for policy formation and implementation, as well as legislative development.

The general labour services activity includes operations intended to enforce compliance with provisions of Part II and Part III of the Canada Labour Code, the Fair Wages and Hours of Labour Act and the Non-smokers' Health Act, as well as operations which are advisory, promotional and educational in nature.

The goals of these operations are to achieve compliance with existing occupational safety and health as well as employment standards legislation and programs; to promote a positive change in attitudes and values respecting work issues; and to promote within labour organizations a membership that is better informed of the Code and the environment of the various participants in the industrial relations system.

Within the Labour Adjustment Benefits Program (LAB), benefits are available to older workers who were permanently laid off prior to the expiry of the program in 1986, and whose unemployment insurance benefits are depleted, provided they meet the age and years of service criteria under the Labour Adjustment Benefits Act.

Injury compensation respecting government employees and merchant seamen is another statutory activity in Labour Canada. The program aims to ensure timely and efficient validation of claims, and to provide benefits to injured employees and/or dependent survivors of employees killed on the job, under the terms of the Government Employees Compensation Act and the Merchant Seamen Compensation Act.

Legislative Mandate

The following legislation is administered by the Department of Labour:

- Department of Labour Act
- Canada Labour Code
- Fair Wages and Hours of Labour Act
- Labour Adjustment Benefits Act
- Merchant Seamen Compensation Act
- An Act Respecting The Hudson Bay Mining and Smelting Co. Limited
- Government Employees Compensation Act
- Non-smokers' Health Act

LAB-1

Government Employees Compensation Regulations

Authority to provide injury compensation to injured employees of the Public Service of Canada and some Crown agencies is derived from the Government Employees Compensation Act and Regulations. The Act refers compensation claim adjudication and benefits determination to provincial workers' compensation boards of the province where the injured worker is normally employed.

This regulatory initiative to amend Regulations governing the federal/provincial delivery of benefits to injured federal workers will complement proposed changes to the Government Employees Compensation Act. An advisory Committee of representatives from labour and management are seeking an acceptable alternative to current federal legislation which will provide wage protection work force re-integration and workers' compensation benefits.

This initiative was published in the 1991 Regulatory Plan as 442-LAB.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Valiquette, Director, Federal Workers' Compensation Project, Labour Canada, Ottawa, Ontario, K1A 0J2. Tel. (819) 953-8002

LAB-2

Occupational Safety and Health (OSH) Regulations – Amendments to Part XI (Confined Spaces)

This regulatory initiative is intended to address OSH concerns regarding safe working requirements for confined spaces in the workplace. As part of Labour Canada's client consultation process, a working group composed of management, labour and Labour Canada representatives was formed to review the Regulations respecting confined spaces. Proposed amendments will clarify and update the Regulations, bringing them into line with current technology and standards.

A regulatory impact statement prepared on the amendments to the Regulations found that such changes will impose no costs on industry. Conversely, reductions in accident risks will lead to substantial savings in compensation costs and reduced absenteeism and will bring qualitative improvements to the work environment.

This initiative was published in the 1991 Regulatory Plan as 447-LAB.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Marlies Regenbrecht, Program Consultant, Occupational Safety and Health Branch, Labour Canada, Ottawa, Ontario, K1A 0J2. Tel. (819) 997-2405

LAB-3

Marine Occupational Safety and Health (OSH) Regulations – Revisions

The Marine OSH Regulations, provided for in Part II of the Canada Labour Code, were introduced in March 1987. A committee of industry representatives and government officials is reviewing the Regulations from the standpoint of the longshoring industry. Amendments will be proposed to clarify and update the Regulations, bringing them into line with current technology and standards.

Review (adjusted for industry-specific priorities) will also be required as progressive amendments are made to the Canada OSH Regulations. In addition, some housekeeping amendments will be needed as a result of a review of the existing Regulations by the Standing Joint Committee on Regulatory Scrutiny.

An impact analysis will be done on each revised Regulation. Technical changes may be found to increase costs.

This initiative was published in the 1991 Regulatory Plan as 451-LAB.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: D. Malanka, Program Consultant, Occupational Safety and Health Branch, Labour Canada, Ottawa, Ontario, KIA 0J2. Tel. (819) 953-0233

LAB-4

Occupational Safety and Health (OSH) Regulations for Uranium and Thorium Mines – Revisions

The proposed amendment would involve revocation of the existing Regulations and issuance of a Uranium Mines (Saskatchewan) Employment Exclusion Order, equivalent in nature to the one in existence for uranium and thorium mines in Ontario. The current Saskatchewan occupational safety and health legislation would still be referenced by federal legislation, but would be regulated through the Atomic Energy Control Act.

An impact analysis will be done. As the same legislation would apply no increased costs are anticipated.

This initiative was published in the 1991 Regulatory Plan as 453-LAB.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Seamen, Program Consultant, Occupational Safety and Health Branch, Labour Canada, Ottawa, Ontario, K1A 0J2. Tel. (819) 953-0229

LAB-5

Canada Labour Standards Regulations

This initiative will follow up on changes to the Regulations in 1991 which included the administrative restructuring of the industrial establishment schedules. During consultations on the restructuring, representation was made by employers to change the description of some of the industrial establishments under the schedules to the Regulations. Our analysis of these representations suggests that it may be necessary to adjust the substance of the schedules.

As a result of these changes, the schedules to the Regulations will be more current.

This initiative was published in the 1991 Regulatory Plan as 454-LAB.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Riewe, A/Director, Labour Standards Legislation, Labour Canada, Ottawa, Ontario, K1A 0J2.
Tel. (819) 953-0208

Multiculturalism and Citizenship Canada

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General Information

Roles and Responsibilities

Multiculturalism and Citizenship Canada has as its principal responsibility the task of enabling all members of Canadian society to participate fully and without discrimination in Canadian life. The central focus of the department is to work towards equal and active citizenship for all Canadians. It promotes understanding of our citizenship and of Canadian values, with the rights and responsibilities that follow, encourages voluntarism and other expressions of active citizenship and works to eliminate barriers toward full participation such as illiteracy and racism.

By working to eliminate racism and other forms of discrimination and barriers to participation, the department helps to ensure that all Canadians feel welcome in society and strengthens the ties among them.

By virtue of the Canadian Multiculturalism Act, the department has been charged with overall co-ordination in this area on behalf of all federal departments and agencies.

Legislative Mandate

Multiculturalism and Citizenship Canada is responsible for administering the following Acts:

- Canadian Multiculturalism Act
- Citizenship Act and Regulations
- Department of Multiculturalism and Citizenship Act
- Canadian Heritage Language Institute Act (not yet proclaimed)
- Canadian Race Relations Foundation Act (not yet proclaimed)

Initiatives

MCC-1

Citizenship

A new Citizenship Act is likely to be introduced in Parliament sometime in 1991. If this occurs, the Citizenship Regulations, which are procedural in nature, will require amendment to conform to, and provide administrative support for, the new Citizenship Act.

This project appeared in the 1991 Regulatory Plan as 199-MC.

Expected Date of Publication: The timetable for pre-publication of revisions to the Citizenship Regulations will depend on progress of the new Citizenship Act.

Contact: Eva Kmiecic, Registrar of Canadian Citizenship, Department of Multiculturalism and Citizenship Canada, Ottawa, Ontario, K1A 0M5. Tel. (819) 994-2869

MCC-2

Citizenship

Continuing policy review concerning cost recovery will result in fees being assessed for the citizenship service of providing letters confirming a person's citizenship status.

This is an ongoing cost-recovery initiative and appeared in the 1991 Regulatory Plan as 200-MC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Eva Kmiecic, Registrar of Canadian Citizenship, Department of Multiculturalism and Citizenship Canada, Ottawa, Ontario, K1A 0M5. Tel. (819) 994-2869

National Capital Commission

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General Information

Roles and Responsibilities

The National Capital Commission is the federal Crown corporation which, under Subsection 10(1) of the National Capital Act, has the responsibility to: "prepare plans for and assist in the development, conservation and improvements of the National Capital Region in order that the nature and character of the seat of the Government of Canada may be in accordance with its national significance, and organize, sponsor or promote such public activities and events in the National Capital Region as will enrich the cultural and social fabric of Canada, taking into account the federal character of Canada, the equality of status of the official languages of Canada and the heritage of the people of Canada."

The commission acts as an agent of Her Majesty and must have government approval to undertake its programs and activities.

The means available to the commission to carry out its mandate are specified in Subsection 10(2) of the Act, which authorizes it to buy, sell, lease, develop and dispose of property; construct parks, highways, bridges, buildings and parkways; maintain and improve its own land and the property of other federal departments and agencies on request; engage in joint projects with municipalities; make grants; conduct research; preserve historical sites and buildings; co-ordinate the policies and programs of the Government of Canada respecting the organization, sponsorship or promotions by departments of public activities and events related to the National Capital Region; and do anything else incidental to the attainment of its responsibilities.

Section 12 of the Act gives the commission the further responsibilities to co-ordinate the development of federal lands in the National Capital Region; approve proposals to erect or demolish buildings or to change the use of federal lands; and approve proposals by departments to sell lands in the National Capital Region.

The various policy instruments available to the commission continue to be necessary to achieve the physical, social and economic objectives established by the federal government for the National Capital Region. In addition, co-operative efforts with municipal, regional and other federal authorities to achieve common goals will continue to play an important role in determining the commission's ability to fulfill its mandate.

Legislative Mandate

- National Capital Act

Initiatives

NCC-1

National Capital Commission Property Regulations

These proposed Regulations will revoke the National Capital Commission Traffic and Property Regulations and create the National Capital Commission Property Regulations.

Any person entering NCC property will be required to comply with revised rules of conduct for the protection of public lands, for preserving order and preventing accidents therein.

This initiative was included in the 1991 Regulatory Plan as 455-NCC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Robert Lafontaine, Director, Corporate Secretariat, National Capital Commission, 161 Laurier Avenue West, Ottawa, Canada, K1P 6J6. Tel. (613) 239-5527

National Defence

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General Information

Roles and Responsibilities

The Minister of National Defence has the control and management of the Canadian Forces and of all matters relating to national defence. The Minister is responsible for the construction and maintenance of all defence establishments and works for the defence of Canada; and research relating to the defence of Canada and to the development and improvement of materiel.

Legislative Mandate

The Department of National Defence derives its legislative mandate from the National Defence Act. Other statutes administered by the Minister of National Defence include:

- Visiting Forces Act
- Aeronautics Act, with respect to any matter relating to defence
- Canadian Forces Superannuation Act
- Defence Service Pension Continuation Act
- Garnishment, Attachment and Pension Diversion Act, with respect to members of the Canadian Forces and employees of the Department of National Defence

Administrative Arrangements

In addition, the Department of National Defence administers, under the general direction of the Chief Electoral Officer, the Service Voting Rules (Schedule II to the Canada Elections Act) as they relate to Canadian Forces electors and their dependants.

Initiatives

ND-1

Greenwood Airport Zoning Regulations

This regulatory initiative will limit the height of buildings, structures and objects including objects of natural growth, and prohibit waste disposal sites and other land uses which might attract birds to or in the vicinity of the airport.

These Regulations will affect only those landowners who hold property adjacent to or in the immediate vicinity of the airport and will have no impact on society or the economy in general. Preliminary briefings with local municipal authorities and the public will take place before the Regulations are enacted.

This item was included in the 1991 Regulatory Plan as 456-ND.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Robert H. Thomson, Program Manager Military Airfield Zoning Program, National Defence Headquarters, 101 Colonel By Drive (9CBN), Ottawa, Ontario, K1A 0K2. Tel. (613) 996-6528

ND-2

Shearwater Airport Zoning Regulations

This regulatory initiative will limit the height of buildings, structures and objects including objects of natural growth, and prohibit waste disposal sites and other land uses which might attract birds to or in the vicinity of the airport.

These Regulations will affect only those landowners who hold property adjacent to or in the immediate vicinity of the airport and will have no impact on society or the economy in general. Preliminary briefings with local municipal authorities and the public will take place before the Regulations are enacted.

This item was included in the 1991 Regulatory Plan as 457-ND.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Robert H. Thomson, Program Manager Military Airfield Zoning Program, National Defence Headquarters, 101 Colonel By Drive (9CBN), Ottawa, Ontario, K1A 0K2. Tel. (613) 996-6528

ND-3

Comox Airport Zoning Regulations

This regulatory initiative will limit the height of buildings, structures and objects including objects of natural growth, and prohibit waste disposal sites and other land uses which might attract birds to or in the vicinity of the airport.

These Regulations will affect only those landowners who hold property adjacent to or in the immediate vicinity of the airport and will have no impact on society or the economy in general. Preliminary briefings with local municipal authorities and with the public will take place before the Regulations are enacted.

This item was included in the 1991 Regulatory Plan as 458-ND.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Robert H. Thomson, Program Manager Military Airfield Zoning Program, National Defence Headquarters,

101 Colonel By Drive (9CBN), Ottawa, Ontario, K1A 0K2.
Tel. (613) 996-6528

ND-4

Moose Jaw Airport Zoning Regulations

This regulatory initiative will limit the height of buildings, structures and objects including objects of natural growth, and prohibit waste disposal sites and other land uses which might attract birds to or in the vicinity of the airport.

These Regulations will affect only those landowners who hold property adjacent to or in the immediate vicinity of the airport and will have no impact on society or the economy in general. Preliminary briefings with local municipal authorities and with the public will take place before the Regulations are enacted.

This item was included in the 1991 Regulatory Plan as 459-ND.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Robert H. Thomson, Program Manager Military Airfield Zoning Program, National Defence Headquarters, 101 Colonel By Drive (9CBN), Ottawa, Ontario, K1A 0K2.
Tel. (613) 996-6528

ND-5

Bagotville Airport Zoning Regulations

This regulatory initiative will limit the height of buildings, structures and objects including objects of natural growth, and prohibit waste disposal sites and other land uses which might attract birds to or in the vicinity of the airport.

These Regulations will affect only those landowners who hold property adjacent to or in the immediate vicinity of the airport and will have no impact on society or the economy in general. Preliminary briefings with local municipal authorities and with the public will take place before the Regulations are enacted.

This item was included in the 1990 Regulatory Plan as 439-DND.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Robert H. Thomson, Program Manager Military Airfield Zoning Program, National Defence Headquarters, 101 Colonel By Drive (9CBN), Ottawa, Ontario, K1A 0K2.
Tel. (613) 996-6528

ND-6

Trenton Airport Zoning Regulations

This regulatory initiative will limit the height of buildings, structures and objects including objects of natural growth, and prohibit waste disposal sites and other land uses which might attract birds to or in the vicinity of the airport.

These Regulations will affect only those landowners who hold property adjacent to or in the immediate vicinity of the airport and will have no impact on society or the economy in general. Preliminary briefings with local municipal authorities and with the public will take place before the Regulations are enacted.

This item was included in the 1990 Regulatory Plan as 439-DND.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Robert H. Thomson, Program Manager Military Airfield Zoning Program, National Defence Headquarters, 101 Colonel By Drive (9CBN), Ottawa, Ontario, K1A 0K2.
Tel. (613) 996-6528

Office of the Superintendent of Financial Institutions Canada

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General Information

Roles and Responsibilities

The Office of the Superintendent of Financial Institutions was established on 2 July 1987 by an Act of Parliament that amalgamated the Department of Insurance and the Office of the Inspector General of Banks. The Office of the Superintendent of Financial Institutions is responsible for supervising all federally registered or licensed financial institutions and employer-sponsored pension plans relative to employment under federal jurisdiction. In addition, the office provides actuarial advice to other departments and performs extensive actuarial services in the valuation of government pension and insurance programs.

According to the Office of the Superintendent of Financial Institutions Act, the office is responsible for administering legislation governing banks and federally registered or licensed insurance, trust, loan and investment companies as well as co-operative credit societies. The Superintendent of Financial Institutions is the deputy head of the office and the Minister of Finance is the responsible Minister.

The primary objective of the office is to protect the interests of depositors, policyholders, creditors and pension plan members by ensuring the soundness of both institutions and pension plans. The office monitors and examines supervised institutions and pension plans for compliance with applicable legislation, related Regulations and guidelines. It also gathers information concerning the operations of institutions and pension plans to develop sound regulatory policies and to assess strengths and weaknesses in the financial system.

Legislative Mandate

The following legislation is administered by the office:

- Bank Act
- Canadian and British Insurance Companies Act
- Civil Service Insurance Act
- Cooperative Credit Associations Act
- Excise Tax Act – Part 1
- Foreign Insurance Companies Act
- Investment Companies Act
- Loan Companies Act
- Office of the Superintendent of Financial Institutions Act
- Pension Benefits Standards Act, 1985
- Quebec Savings Banks Act
- Trust Companies Act

Administrative Arrangements

By agreement with the provinces of Manitoba, Nova Scotia and Prince Edward Island, the office examines and monitors, on behalf of those provinces, certain insurance, trust and loan companies incorporated in those provinces.

According to Section 28 of the Canada Deposit Insurance Corporation Act and letters of engagement with the Canada Deposit Insurance Corporation (CDIC), the office examines, on behalf of CDIC, all CDIC-member trust companies incorporated under provincial laws, with the exception of those incorporated in the provinces of Ontario and Quebec. With respect to trust companies incorporated in the Province of Ontario, the office reviews certain reports and financial statements. The office performs no services on behalf of CDIC with respect to companies incorporated in Quebec.

Pursuant to Paragraph 20(1)(s) of the Income Tax Act, the office advises Revenue Canada with respect to the acceptability of certain contributions as deductions from taxable income.

Pursuant to Subsection 147.1(17) of the Income Tax Act, and by agreement with Revenue Canada, the office provides other pension-related advice to Revenue Canada.

By agreement with Indian and Northern Affairs Canada (INAC), the office advises INAC with respect to the technical aspects of the Indian Pension Plan Funding program to ensure compliance with funding criteria established by INAC and Treasury Board. The office also co-ordinates reviews of proposed pension plans to ensure their compliance with the Pension Benefits Standards Act, 1985 and the registration provisions of the Income Tax Act.

Initiatives

OSFI-1

Financial Sector Reform

The Bank Act, the Trust Companies Act, the Loan Companies Act, the Canadian and British Insurance Companies Act, the Foreign Insurance Companies Act and the Cooperative Credit Associations Act are to be replaced by new financial institutions legislation, drafts of which have now been tabled in Parliament.

This proposed legislation will broaden the lending and investment powers of federally regulated financial institutions, update and streamline the regulatory regime under which they operate and modernize the corporate law provisions that govern them. As well, the proposed legislation will contain provisions requiring approval for changes in ownership of financial institutions.

The proposed legislation and related Regulations will have a significant impact on Canadian financial institutions and their customers. By broadening corporate business and investment powers, international competitiveness and domestic growth of financial institutions will be promoted. These measures will also enhance competition and innovation, increasing the options available to Canadian consumers. Further, the protection of depositors, holders of insurance policies, members of fraternal benefit societies and shareholders will be improved by updated rules respecting corporate governance, auditing, related-party transactions and conflicts of interest. The requirement for approval of certain share transfers will ensure appropriate ownership of federal financial institutions.

It is proposed that extensive industry consultation and discussion will precede the publication of these Regulations.

A summary of the key Regulations proposed under the draft legislation follows.

Investments and loans by an institution: The legislation will permit the official announcement of Regulations restricting investments and loans by an institution. Restrictions will be imposed on the nature and extent of investments and loans that may be made and shares that may be owned by an institution on an individual or aggregate basis.

Restrictions on business and powers of an institution: The legislation will authorize the imposition of various restrictions and conditions on certain business and powers of an institution, including restrictions and conditions on such activities as borrowing and making provision for guarantees.

General authority: The legislation will provide that Regulations may be passed generally for carrying out the purposes and provisions of the legislation. Where specific authority is not otherwise provided, Regulations will address general matters, such as definition of words and expressions, format and content of forms, manner of distribution of forms, exemptions from the requirements contained in forms and authorization of appropriate variations from the prescribed format.

Related party transactions: The legislation will authorize the restriction or prohibition of transactions between an institution and parties related to it. The Regulations will set out certain exemptions from these restrictions and prohibitions.

Public inquiries: The legislation will provide that, subject to the approval of the Governor in Council, the Superintendent may make rules governing the proceedings at public inquiries with respect to the incorporation of a new institution. It is expected that the rules will be similar to those currently existing under the Bank Act.

Intercorporate shareholdings: The legislation will provide that Regulations may set out and prescribe the circumstances in which an institution or its subsidiaries may hold shares of the institution or of an upstream entity.

Affiliation: The legislation will provide for Regulations that set out and prescribe the circumstances in which a natural person is affiliated with an institution for the purpose of determining the composition of the board of directors of an institution.

Form of proxy: The Regulations will prescribe the form and content of the proxy solicitation to be sent to shareholders and policyholders of companies and filed with the Superintendent. It is expected that these Regulations will be similar to those currently existing under the Bank Act.

Insider reports: The Regulations will prescribe the form of the insider report which must be filed with the Superintendent in connection with the ownership or acquisition of shares of the institution. It is expected that these Regulations will be similar to those currently existing under the Bank Act.

Commercial lending: The legislation will restrict commercial lending power to institutions with a certain level of regulatory capital. However, loans to prescribed international agencies and investments in debt obligations which are widely held will not be deemed to be commercial loans. In addition, the legislation will provide that the commercial lending limit is to be applied to the institution and its prescribed subsidiaries. The Regulations will define "widely distributed," "international agencies" and "prescribed subsidiaries" for this purpose. A consultation draft of the proposed Regulations regarding these definitions was released for discussion on 24 July 1991.

The legislation will also provide that Regulations may be passed on commercial and consumer lending by property and casualty insurance companies and fraternal benefit societies. The Regulations will impose this limit.

The legislation will also provide that Regulations may be passed prescribing the total accepted value of commercial loans that may be vested in trust by foreign insurance companies. The Regulations will prescribe these percentages.

Financial leasing: The Regulations will define such matters as permissible activities, gross vehicle weight, personal household property, and will impose restrictions and limitations on the leasing activities in which institutions may engage. A consultation draft of the proposed Regulations regarding these definitions was released for discussion on 24 July 1991.

Insurance activities: The Regulations will delineate the relationships that non-insurance institutions maintain with entities or individuals that engage in or carry on the business of insurance agents and insurance brokers. The Regulations will also define the insurance-related activities in which a non-insurance institution may engage, and the manner in which it may provide, promote and solicit business in connection with these activities. A consultation draft of the proposed Regulations regarding these matters was released on 31 May 1991.

Prospectus: The legislation will continue the requirement that any prospectus relating to the issuance of securities by institutions be filed with the Superintendent. The Regulations will prescribe such matters as form and content, financial statements and documents to be attached, disclosure of material facts, distribution of the securities and exemption of classes of distribution. It is expected that these Regulations will be similar to those currently in existence under the Bank Act.

Total assets: The legislation will provide that the total asset size of an institution will have a bearing on certain provisions of the legislation, including the commercial lending limit, the requirement to comply with the 35 per cent public ownership requirement and the 10 per cent limit on total asset transactions involving a single party. The Regulations will set out the manner in which the total assets of an institution are to be determined, including which subsidiaries are to be included in the calculation of total assets. A position paper setting out the proposed approach was released for discussion on 24 July 1991.

Information services and processing: The legislation will provide that the Regulations may set out what a company may or may not do in-house with respect to data processing outside Canada. It may prescribe additional activities in which information services corporations may engage.

Restriction on in-house activities: The legislation will provide for the promulgation of Regulations restricting and imposing terms and conditions on certain in-house activities. The Regulations will prescribe the prohibitions, terms and conditions to which an institution will be subject in connection with its real property brokerage services, investment counselling and portfolio management services, in addition to provision of data- processing and information services and ancillary technology production outside Canada. A consultation draft of the proposed Regulations regarding investment counselling and portfolio management services was released for discussion on 24 July 1991.

Regulatory capital: The legislation will provide that a number of permitted portfolio investments are to be expressed as a percentage of regulatory capital. In addition, the legislation will impose certain restrictions based on regulatory capital, such as limitations on certain related party transactions and reports by the auditor on doubtful loans in excess of a percentage of regulatory capital. With respect to non-insurance institutions, the calculation of regulatory capital will conform generally with the approach to capital developed by international banking supervisors under the aegis of the Bank of International Settlements. The Regulations will include the concept of two tiers of capital – core and supplementary – and will prevent the double-counting of capital. A position paper setting out the proposed approach was released for discussion on 24 July 1991.

With respect to insurance institutions, the Regulations will impose requirements based on the maintenance of minimum continuing capital and surplus, and will address activities and risks unique to the insurance industry.

Specialized financing corporation: The legislation will provide that the Regulations may impose terms and conditions in connection with the activities in which a specialized financing corporation may engage.

Ownership of shares of subsidiary: The legislation will provide that the ownership of shares of a subsidiary by an institution is subject to such terms, restrictions and conditions as may be imposed by Regulation. The Regulations will impose such terms, restrictions and conditions.

Equity valuation: The legislation will provide that Regulations may determine the method of calculating the value of the participating shares and ownership interests of an institution and its prescribed subsidiaries for the purpose of compliance with the limits imposed by the Act. The Regulations will set out the method, and will prescribe which subsidiaries are to be included in the calculation.

Real property interests: The legislation will provide that the Regulations may define the interests of an institution and its prescribed subsidiaries in real property and determine the method of valuing those interests. The Regulations will define and determine the method of calculating these interests.

Capital adequacy: The legislation will provide that institutions other than property and casualty insurance companies maintain adequate capital and liquidity and comply with any Regulations respecting the maintenance of adequate capital and adequate and appropriate forms of liquidity. With respect to these institutions, the Regulations will set out the appropriate forms of capital and liquidity, the method whereby adequate capital and liquidity are to be calculated, and the minimum level of capital and liquidity to be maintained. A position paper setting out the proposed approach was released for discussion on 24 July 1991.

The legislation will provide that property and casualty insurance companies maintain assets equal to the amount calculated in accordance with a formula to be prescribed. The Regulations will prescribe this formula.

The legislation will provide that foreign life insurance companies maintain adequate margins of assets over liabilities in Canada and adequate and appropriate forms of liquidity. It will also provide that Regulations may be passed with respect to these matters.

Protection of assets: The legislation will provide that Regulations may be passed respecting the protection and maintenance of an institutions assets and those held in trust by an institution, including Regulations respecting the bonding of directors, officers and employees of a company. It is expected that the Regulations will be similar to those currently in existence under the Bank Act.

Maintenance and operation of accounts, disclosure of costs, etc.: The legislation will provide that various matters relating to the maintenance and operation of deposit and other accounts are subject to Regulation. The Regulations will address such matters as the manner of disclosure of deposit interest paid and interest charged, the types of service charges that may be levied and the manner of disclosing these charges, the inclusion of certain charges in the cost of borrowing and the manner of disclosing these charges, the use of customer information, prohibitions on certain activities, exemptions from certain requirements and the definition of a subsidiary.

Fees: The legislation will provide that Regulations may be passed to establish the fees to be charged by an institution in connection with the issuance of a share certificate as a result of a transfer of shares.

Domestic assets: The legislation will provide that no foreign bank subsidiary, other than one controlled by a U.S. resident, shall have domestic assets (averaged over a three-month period), in excess of an amount fixed by the Minister. It will also provide that domestic assets are to be determined in the prescribed manner. The Regulations will prescribe the manner of calculating domestic assets. It is expected that these Regulations will be similar to those currently existing under the Bank Act.

Bank Act security: The new legislation will provide that Regulations may be passed with respect to the forms to be used when a bank lends to certain borrowers on certain security, the fee to be charged to gain access to the system of registration of security interests and the form of the "notice of intention" to be executed by a borrower in connection with a security interest granted to a bank. The Regulations will provide for such matters. It is expected that these Regulations will be similar to those currently existing under the Bank Act.

Reserves: The legislation will provide that Regulations may be passed with respect to the maintenance of reserves to be maintained by a bank with the Bank of Canada.

Representative offices: The new legislation will provide that Regulations may be passed with respect to the manner in which representative offices of foreign banks are to be maintained and the rules by which they are to be governed. The Regulations will provide for these matters. It is expected that these Regulations will be similar to those currently existing under the Bank Act.

Use of bank's name: The new legislation will prohibit the use of the name of a bank in connection with various matters, except to the extent permitted by the Regulations. Regulations will be passed setting out the exemptions to this restriction.

Demutualization: The legislation will provide that Regulations may be passed in connection with a demutualization by a mutual insurance company. The Regulations will provide the form and content of an application to demutualize and what constitutes fair and equitable treatment of policyholders under a proposal to demutualize, in addition to addressing the ownership of shares issued by a mutual company that has been converted into a company with common shares.

Actuarial reports: The legislation will provide that the form of and matters to be contained in the actuarial report of an insurance company and the form relating to the reserve for actuarial and other policy liabilities are to be prescribed. The Regulations will prescribe the forms and other matters.

Transfer of funds: The legislation will provide that Regulations may be passed in connection with the transfer of funds from a participating account of an insurance company to a segregated account. The Regulations will impose certain restrictions on this transfer.

Re-insurance: The legislation will provide that Regulations may be passed to impose a limit on the extent to which an insurance company may cause itself to be re-insured against risk.

Borrowing by insurance companies: The legislation will provide that Regulations may be passed restricting the power of an insurance company and its subsidiaries to borrow or issue shares or subordinated indebtedness. The Regulations will impose restrictions including which subsidiaries are to be included, what is to be included in borrowings, what shares are to be excluded from the limitations on the issuance of shares, restrictions on the issuance of subordinated indebtedness and the percentage of total assets to which borrowing is permitted.

Guarantees: The legislation will provide that Regulations may be passed imposing terms and conditions with respect to guarantees that may be issued by life insurance companies.

Policy loans disclosure: The legislation will provide that Regulations may be passed with respect to the calculation and disclosure of the cost of borrowing in connection with loans made by insurance companies to a policyholder on the security of a policy or against its cash surrender value.

Consumer lending: The legislation will provide that Regulations may be passed that impose a percentage limit, based on total assets, on commercial and consumer lending by property and casualty insurance companies and fraternal benefit societies.

Assets in Canada: The legislation will provide that Regulations may be passed respecting the value of assets of an insurance company or fraternal benefit society to be held in Canada and the manner in which those assets are to be held. Regulations may be passed with respect to the maintenance of assets in Canada by a foreign insurance company in relation to each class of insurance risks undertaken. Regulations may be passed that prescribe the percentage of assets consisting of commercial loans which may be vested in trust by foreign insurance companies.

Adequacy of assets for property and casualty insurance companies: The legislation will provide that Regulations may be passed prescribing a formula, pursuant to which a property and casualty insurance company is to calculate the assets which it is to maintain.

Investment valuation reserves: The legislation will provide that the Regulations may establish investment valuation reserves against various assets of an insurance company. The Regulations will establish these reserves. It is expected that these Regulations will be similar to the existing Regulations.

Annual return: The legislation will provide that Regulations may be passed prescribing the manner in which gains or losses resulting from the sale or other disposition of certain assets by an insurance company are to be shown in the annual return.

Fraternal benefit societies: The legislation will provide that Regulations may be passed with respect to the following matters:

(a) form of the valuation balance sheet;

(b) determination of the amount or value of loans, investments and interests for certain purposes;

(c) loans and investments, and their maximum aggregate, that may be made or acquired by a society and its prescribed subsidiaries to a connected group, and specifying who is connected for this purpose;

(d) restrictions on ownership by a society of a corporation;

(e) imposition of individual and aggregate percentage limits, based on total assets, on the acquisition and improvement by a society and its prescribed subsidiaries of real property, and the direct and indirect acquisition of shares and ownership interests; and

(f) definition and valuation of interests by a society in real property.

Foreign insurance companies: The legislation will provide that Regulations may be passed with respect to the following matters:

(a) minimum value of assets to be vested in trust;

(b) classes of loans to which the borrowing disclosure requirements are not to apply;

(c) manner in which the foreign company is to provide customers having certain complaints with information as to how they may contact the Superintendent;

(d) reserves to be included in the liabilities of a foreign company;

(e) imposition of aggregate percentage limits, based on total assets, on the total accepted value of interests in real estate and shares vested in trust;

Special assessment of expenses: The legislation will provide that Regulations may be passed in connection with expenses incurred by the Superintendent in exercising control of a financial institution or its assets or acting as a liquidator during the winding-up of a financial institution engaged in insurance activities. Regulations may be passed that designate a class of insurance to be "special insurance" for the purpose of special assessments of expenses.

Some of these initiatives have been carried over from the 1991 Regulatory Plan where they appeared as 461-OSFI. Some of these initiatives are new.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

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OSFI-2

Pension Benefits Standards

The Pension Benefits Standards Act, 1985, which received royal assent on 27 June 1986 and came into force on 1 January 1987, sets standards for the registration of pension plans subject to federal supervision. The Regulations made pursuant to the Act contain additional requirements necessary to carry out its intent. Ongoing administrative experience including discussions with administrators and professionals indicates that amendments are required to reflect current policy and practice.

The following describes the more significant changes.

Designated provinces: Reciprocal agreements with respect to supervision of pension plans may be entered into with provincial governments which have enacted legislation similar to federal pension legislation. As Quebec has enacted legislation similar to federal pension legislation, the proposed Regulations will recognize Quebec as a designated province. Alberta, Manitoba, Nova Scotia and Ontario are already recognized.

Non-resident plan members: An amendment is proposed to exempt non-resident plan members and members who cease to be Canadian residents from the application of certain provisions of the Act.

Solvency rules: The enactment of the Pension Benefits Standards Act, 1985 created new solvency rules. Certain multi-employer pension plans governed by collective agreements experienced considerable difficulty in complying immediately with the new rules. Consequently, the office intends to propose an amendment to the Regulations to provide a 15-year transition period to meet the new standards with respect to any solvency deficiency existing as of 1 January 1987, in the case of this type of plan.

Regarding a solvency deficiency, the current Regulations do not define what is meant by the liabilities of a pension plan when the plan is terminated. One common interpretation is that these liabilities are equivalent to the assets of the plan and leads to the conclusion that the solvency deficiency is zero. It is proposed to amend the Regulations to specify that the liabilities of the plan for the purpose of calculating the solvency deficiency, equal the actuarial present value of the pension and other benefits payable to members and former members.

Pension committees: Current Regulations provide for the election of representatives of plan members and of retired members. Proposed amendments will clarify the wording of the voting entitlement and to specify a procedure for resolving votes that result in a tie.

Exemptions: In certain circumstances, benefits of plan members as determined by applying plan rules may exceed the maximum amounts payable according to the Income Tax Act and Regulations. Proposed amendments to the Regulations exempt such benefits from the locking-in provisions of the Pension Benefits Standards Act, 1985.

It is possible for a pension plan to operate for a time, outside the purview of the Pension Benefits Standards Act, 1985. This can arise, for example, when employment is adjudicated as federal employment after the pension benefits for such employment have begun to accrue. Proposed amendments to the Regulations in such cases will exempt benefits that have accrued prior to a plan's registration from certain of the provisions of the legislation.

Investment rules: Current Regulations include qualitative rules that focus first on the soundness of individual investments and second on the soundness of the total investment portfolio of the pension plan. Consistent with the federal government's intention to modernize investment rules applicable to financial institutions by moving to a "prudent portfolio" approach, it is proposed that the Regulations be amended by removing qualitative tests on individual investments and relying on general quantitative rules for the composition of a pension plan's portfolio. In this regard, the plan sponsor or administrator will be required to establish investment criteria both in accordance with the duty of prudence and consistent with the rules and objectives set forth in the contract governing the pension fund. In addition, the sponsor or administrator will be required to ensure compliance with the rules and criteria.

Actuarial reports: Existing Regulations specify certain items of information that must be included in actuarial reports that must be submitted with an application for registration of a pension plan. Proposed amendments to the Regulations will clarify that those items must be included in actuarial reports submitted on other occasions.

Canadian Depository for Securities Limited (CDS): In order that federally regulated pension funds may use the facilities of CDS in connection with their securities-trading activities, it is necessary that the Regulations be amended. The proposed amendments were prepublished in the *Canada Gazette*, Part I, on 11 August 1990.

These initiatives have been carried over from the 1991 Federal Regulatory Plan where they appeared as 462-OSFI.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

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OSFI-3

Capital Standards for Life Insurance Companies

The proposed Regulations will specify the rules for determining the minimum amount of capital and surplus that Canadian, British and foreign insurance companies must maintain on a continuing basis with respect to their life, accident and sickness insurance business in order to comply with the provisions of the federal insurance legislation.

The proposed Regulations will require each Canadian, British and foreign life insurance company transacting business in Canada to comply with minimum continuing capital and surplus requirements, determined in accordance with a detailed mathematical formula that has been developed in conjunction with the Canadian Life and Health Insurance Association. Compliance with similar standards is now a requirement for membership in the compensation corporation that the life insurance industry has established to protect policyholders in the event of a life insurance company failure.

These new requirements should ensure that life insurance companies maintain satisfactory financial standards and procedures in order to meet their obligations to policyholders.

This initiative has been carried over from the 1991 Regulatory Plan where it appeared as 463-OSFI.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: D. McIsaac, Director General, Life Insurance Division, Office of the Superintendent of Financial Institutions, Ottawa, Ontario, K1A 0H2. Tel. (613) 990-7613

OSFI-4

Complaint Handling and Redress

As a consequence of legislation now before the House of Commons, changes to Regulations wil be required respecting disclosure of information, customer notification and complaint handling procedures concerning service charges and certain other charges relating to a customer's personal account. The proposed regulatory changes will clearly define the responsibilities of financial institutions to make consumers more aware of the charges relating to their accounts.

These changes will address the mechanisms that financial institutions use to handle complaints from customers. The proposed changes will not materially increase the costs incurred by the office in monitoring compliance with disclosure rules.

This initiative has been carried over from the 1991 Regulatory Plan where it appeared as 464-OSFI.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: N. Murphy, Director, Communications and Public Affairs, Office of the Superintendent of Financial Institutions, Ottawa, Ontario, K1A 0H2. Tel. (613) 993-0577

OSFI-5

Assessment of Expenses Against Supervised Financial Institutions

Expenses incurred by the Office of the Superintendent of Financial Institutions that relate to the administration of federal legislation and apply to federally supervised financial institutions are shared among the supervised institutions. The Assessment of Financial Institutions Regulations specify how these expenses are apportioned among these institutions. Following discussions with affected industry segments, amendments seem necessary to ensure that the method of apportioning expenses among individual institutions continues to be equitable and reasonable.

This initiative has been carried over from the 1991 Regulatory Plan where it appeared as 465-OSFI.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: H.R. Urquhart, Director, Finance and Administration, Office of the Superintendent of Financial Institutions, Ottawa, Ontario, K1A 0H2. Tel. (613) 990-7536

OSFI-6

Investment Valuation Rules For Canadian Life Insurance Companies – General

Proposed amendments to the existing investment valuation Regulations for Canadian life insurance companies will prescribe new valuation and accounting rules relating to real estate assets held in respect of the life insurance business of Canadian life insurance companies.

The new valuation and accounting rules are intended to make valuation of real estate assets more uniform in contrast to the prevailing optional method of selective use of current appraised market value or depreciated historical cost of real estate parcels by companies. They will also result in a more equitable distribution among generations of policyholders of the unrealized appreciation or depreciation on real estate held by companies and ensure that the capital gains and losses resulting from sales of real estate are brought into income over a period of time instead of being directly reflected in income and surplus in the year of disposal. Standards respecting the appraisal of real estate will be established to bring about uniformity in the area of valuation requirements.

The proposed amendments will affect the way in which Canadian life insurance companies account for real estate investments held in respect of their life insurance business in Canada. Under the proposed amendments, companies will be required to carry out real estate appraisals both in a specified cycle that cannot be varied without the approval of the Superintendent and in accordance with standards that will be set for determining appraisal values and net realizable values. The proposed amendments will lead to a more equitable distribution of profits to the policyholders of Canadian life insurance companies and will also result in more uniform financial statement reporting within the industry.

This initiative has been carried over from the 1991 Regulatory Plan where it appeared as 466-OSFI.

Expected Date of Publication: Prepublished, *Canada Gazette*, Part I, on 30 August 1991; First Quarter, 1992, *Canada Gazette*, Part II

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OSFI-7

Investment Valuation Rules for Canadian Life Insurance Companies – Capital Gains Treatment on Realization of Security

To ensure a more equitable distribution among generations of policyholders of the unrealized appreciation or depreciation on real estate held by companies, the Investment Valuation Regulations referred to in OSFI-6 provide that capital gains and losses resulting from sales of real estate are brought into income over a period of time instead of being directly reflected in income and surplus in the year of disposal.

These Regulations are to be further amended to clarify that this treatment is not to be accorded to real estate acquired pursuant to the realization of a security interest against real property. In this situation, real estate is to be carried at book value, and any capital gains and losses are to be brought into income only during the year of disposition.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: D. McIsaac, Director General, Life Insurance Division, Office of the Superintendent of Financial Institutions, Ottawa, Ontario, K1A 0H2. Tel. (613) 990-7613

OSFI-8

Protection of Securities

The Loan Companies Act, the Cooperative Credit Associations Act, the Trust Companies Act and the Canadian and British Insurance Companies Act provide, inter alia, that protection of the assets of the institution is subject to such Regulations as the Governor in Council may prescribe.

Pursuant to these provisions, the Governor in Council prescribed the Protection of Securities Regulations under each of the above Acts. These Regulations prescribe, inter alia, the manner in which and the location at which securities of an institution and monies arising from securities transactions are to be maintained.

The Canadian Depository for Securities Limited (CDS) and the West Canada Depository Trust Company (WCDTC) are corporations that act as central clearing houses for securities transactions between securities dealers and their nominees.

It is proposed that federal financial institutions gain access to the CDS and WCDTC systems. To do so, amendments are required with respect to each of the above Regulations, allowing securities and monies arising from securities transactions to be maintained with CDS and WCDTC.

Permitting federal financial institutions to participate in the CDS and WCDTC systems will enable the institutions to gain access to more modern and efficient distribution and trading technology in connection with securities transactions.

This initiative has been carried over from the 1991 Regulatory Plan where it appeared as 467-OSFI.

Expected Date of Publication: Prepublished, *Canada Gazette*, Part I on 11 August 1990; Final publication, First Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Adamsons, Director, Legislative Planning, Office of the Superintendent of Financial Institutions, Ottawa, Ontario, K1A 0H2. Tel. (613) 990-9960

OSFI-9

Cost of Borrowing Disclosure – Canada Student Loans

Banks and other financial institutions facilitate the administration of the Canada Student Loans Program (CSLP). The Canada Student Loans Act (CSLA) and Regulations specify circumstances under which the federal government guarantees student loans, and establish the application of certain borrowing charges.

To ensure timely repayment of student loans, and to defray the costs of collection, it is proposed that the CSLA Regulations be amended to allow financial institutions to impose late penalty charges.

In order to implement these changes, the Cost of Borrowing Disclosure Regulations must be amended to exempt banks from restrictions concerning the imposition of late penalty charges.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Adamsons, Director, Legislative Planning, Office of the Superintendent of Financial Institutions, Ottawa, Ontario, K1A 0H2. Tel. (613) 990-9960

OSFI-10

Bank Act – Ministerial and Other Orders

Various sections of the Bank Act provide the Minister or Governor in Council with authority to grant permissions, approvals, consents, exemptions and similar dispensatory relief to banks and foreign banks. A number of these relief provisions are expected to be exercised in favour of banks and foreign banks during 1992, but it is impossible to determine their frequency. It is likely that most applications for relief will be submitted by banks with respect to increases in capital deemed authorized.

The relief provided to banks and foreign banks is part of an ongoing process of routine supervisory control. The anticipated impact on the economy or society is ancillary to the primary impact on the individual institution and is not considered to be material to the general public.

This is a recurring initiative, and was included in the 1991 Regulatory Plan as 468-OSFI.

Expected Date of Publication: As required

Contact: A. Brossard, Director, Rulings Division, Office of the Superintendent of Financial Institutions, Ottawa, Ontario, K1A 0H2. Tel. (613) 990-7805

OSFI-11

Supervision of Financial Institutions – Miscellaneous

The Governor in Council has, from time to time, made Regulations pursuant to authority contained in the Office of the Superintendent of Financial Institutions Act and various other statutes administered by the office. These Regulations deal primarily with matters pertaining to the supervision of financial institutions. It is likely that, during 1992, minor changes to some of these Regulations will be necessary to clarify intent and purpose, to correct ambiguities or discrepancies or to delete obsolete provisions.

Because the changes will be minor, these amendments are not expected to have any material effect on regulated financial institutions or the general public.

This is a recurring initiative, and was included in the 1991 Regulatory Plan as 469-OSFI.

Expected Date of Publication: As required

Contact: K. Adamsons, Director, Legislative Planning Division, Office of the Superintendent of Financial Institutions, Ottawa, Ontario, K1A 0H2. Tel. (613) 990-9960

Public Works Canada

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General Information

Roles and Responsibilities

The mission of Public Works Canada is to attend to the government's office and other real property needs, and to offer expert advice and services in the provision, management, operation and disposal of federal real property at market-based rates, while contributing to the achievement of the government's social, economic and environmental objectives.

The department's primary role is that of a common service organization in the provision of accommodation and other realty services to clients within the requirements of legislation, policies and directives of the Treasury Board of Canada or other appropriate authorities, to achieve certain standards of prudence and probity and to conform to the socio-economic decisions of government.

The Minister of Public Works is responsible for the National Capital Commission.

Legislative Mandate

- Public Works Act
- Bridges Act
- Dry Dock Subsidies Act
- Government Harbours and Piers Act
- Government Property Traffic Act
- Government Works Tolls Act
- Kingsmere Park Act
- Laurier House Act
- Municipal Grants Act
- Official Residences Act
- Ottawa River Act
- Trans-Canada Highway Act

Administrative Arrangements

- Expropriation Act
- Surplus Crown Assets Act
- Public Lands Grants Act
- Public Works Health Act

PWC-1

PWC Docks: Lauzon, Quebec; Selkirk, Manitoba; Esquimalt, British Columbia – Rate Revisions

The Department of Public Works owns and operates dry dock facilities at Lauzon in Quebec; Selkirk in Manitoba and Esquimalt in British Columbia. The department was directed by Cabinet on 26 June 1986 to recover operating costs and by Treasury Board on 21 June 1989 to study the feasibility of recovering capital depreciation and grants in lieu of taxes by increasing rates at the dry docks. Implementation of the 1990 rate increases was delayed by Cabinet following the cancellation of the Polar 8 contract. Nevertheless, the department will be reviewing and revising the rates again in 1991 with implementation anticipated late in the year. The department expects to review rates again in 1992 in order to recover full operating costs.

The industry has been advised that the rates are to be reviewed and amended annually in order for the federal government to recover full operating costs, and that the government will study the feasibility of recovering capital depreciation and grants in lieu of taxes. An increase in rates will always create some concern among users.

This item was included in the 1991 Regulatory Plan as 470-PWC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Carlyn, Chief, Federal Facilities, Accommodation Branch, Public Works Canada, Ottawa, Ontario, K1A 0M2. Tel. (613) 736-2207

PWC-2

Municipal Grants

This regulatory initiative is intended to amend the 1980 Municipal Grants Regulations to enable the Minister of Public Works Canada to enter into an agreement with a province or territory, as permitted under Section 12 of the Municipal Grants Act, to include under the definition of federal property, a real property leased or occupied for residential purposes, subject to the conditions to be defined in each agreement; and to amend schedules III and IV of the Municipal Grants Act to correspond with Schedule III, Part I and Part II of the Financial Administration Act.

The Government of the Northwest Territories which requested the first amendment has recently amended its own legislation to authorize its municipalities not to collect property taxes on agreed upon properties and to accept the Government of Canada grants in lieu of property taxes.

The second amendment is intended to bring the Municipal Grants Regulations in line with the Financial Administration Act by incorporating changes which have been made since the Municipal Grants Act was proclaimed in I980.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Jacques Piché, Director, Grants and Contributions, Accommodation Branch, Public Works Canada, Ottawa, Ontario, K1A 0M2. Tel. (613) 736-2214

Revenue Canada, Customs and Excise

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General Information

Roles and Responsibilities

The Department of National Revenue, Customs and Excise, is headed by a deputy minister who reports to the Minister of National Revenue. The department's mission is: "Above all else, we serve the public. We serve by protecting Canadian society with respect to the international movement of goods and people; protecting Canada's revenues; and advancing Canadian interests both nationally and internationally in these areas."

In carrying out its mission, Customs and Excise plays an important role in implementing the government's socio-economic policies. For instance, the department is responsible for providing an initial screening process at points of entry on behalf of other government departments such as Agriculture Canada, Health and Welfare Canada, and Employment and Immigration Canada. It also restricts the importation of controlled or prohibited goods such as narcotics, firearms and obscene material.

In the area of economic policy, the department continues to be in the forefront of tax reform implementation through its administration of the Goods and Services Tax. Designed to make Canadian firms more competitive in international markets, the new tax represents a major step in the government's tax reform policy. The department also remains involved in implementing the Free Trade Agreement with the United States and Canada's multilateral trade agreements under the General Agreement on Tariffs and Trade (GATT).

Legislative Mandate

The Department of National Revenue Act charges Customs and Excise with the responsibility for "the control, regulation, management and supervision of duties of customs and excise including taxes imposed by the Excise Tax Act." The Minister of National Revenue is responsible for administering the Customs Act. Other major statutes included in the legal mandate of Customs and Excise are:

- Customs Tariff
- Special Import Measures Act
- Excise Act

These are the legislative responsibility of the Minister of Finance.

Administrative Arrangements

Customs and Excise also administers some 80 pieces of legislation that pertain to the international movement of people and the importation or exportation of goods. This legislation comes under the authority of other federal departments and agencies, notably: Agriculture Canada, Health and Welfare Canada, Consumer and Corporate Affairs Canada; Industry, Science and Technology Canada; Statistics Canada; and Employment and Immigration Canada.

Initiatives

Customs

RC-CE-1

Accounting for Imported Goods and Payment of Duties Regulations

These Regulations set out the accounting and release requirements for all goods imported into Canada as well as those related to the payment of duties on these goods.

The department will amend the Regulations to support certain initiatives related to Customs 2000 as well as to address some concerns raised by the Standing Joint Committee for the Scrutiny of Regulations. As these Regulations have been amended several times since their introduction in 1986, the department will take this opportunity to effect a much needed consolidation.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Wilkinson, Chief, Legislation, Commercial Operations Directorate, Department of National Revenue, Customs and Excise, Connaught Building, 5th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5.
Tel. (613) 954-6853

RC-CE-2

Accounting for Imported Goods and Payment of Duties Regulations (Electronic Data Interchange)

These Regulations set out the accounting and release requirements for all goods imported into Canada as well as those related to the payment of duties on these goods.

The amendments will permit importers and brokers who have entered into an agreement with Customs to transmit interim accounting data (release data) electronically, under the release system, to customs offices. This will significantly reduce the paper burden.

This initiative appeared in the 1990 Regulatory Plan as 450-RC:CE.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Émond, Director, Project Management Division, Commercial Operations Directorate, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 17th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7501

RC-CE-3

Automotive Machinery And Equipment Remission Orders

Each year, several Orders are recommended by the Machinery and Equipment Advisory Board for the remission of a portion of the customs duties and sales tax paid or payable on machinery and equipment imported for use in the manufacture of original automotive equipment parts and accessories. This machinery and equipment must not be available from Canadian production within the necessary time frame to meet the applicants' production schedules. These Orders provide a significant industrial development incentive.

This initiative appeared in the 1991 Regulatory Plan as 471-RC:CE.

Expected Date of Publication: Throughout the year, as required

Contact: C. Breakwell, Manager, Machinery Program and Processing Unit, Tariff Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5.
Tel. (613) 954-7112

RC-CE-4

Customs Sufferance Warehouse Regulations

These Regulations set out the circumstances in which a licence for a sufferance warehouse may be issued, amended, suspended, cancelled or reinstated; the terms and conditions under which licences may be issued; and standards for the operation of sufferance warehouses.

Amendments will be made to grant to the licensee the right to receive adequate information and the opportunity to make representations following the suspension of a licence.

Further amendments will provide that agreements to operate sufferance warehouses restricted to receiving commercial shipments transported by motor vehicle will be of a maximum term of seven years. These agreements will be subject to renewal.

This initiative appeared in the 1991 Regulatory Plan in Annex B – Regulatory Initiatives Under Development.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: J.M. Kiefl, Chief, Warehouse Licensing, Department of National Revenue, Customs and Excise, Connaught Building, 5th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7193

RC-CE-5

Delegation of Powers (Customs) Order

Section 134 of the Customs Act authorizes the Minister of National Revenue to delegate, by Order, certain powers conferred by sections 131 to 133 of that Act. The Order will be amended to identify by position title alone the officers to whom powers are delegated. As a result, amendments to the Order will no longer be necessary when a new appointment is made to one of these positions.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Girard, A/Director, Legislative Affairs, Department of National Revenue, Customs and Excise, Connaught Building, 3rd Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6950

RC-CE-6

Drawback Claims Remission Order

Once a year, a Remission Order is prepared remitting customs duties paid on imported goods that are the subject of drawback claims. This Order allows the department to pay a drawback to Canadian companies that, because of circumstances beyond their control, could not file drawback claims within the prescribed time limit. Generally, the Order applies to a new company or an existing one not previously engaged in export trade, a company that has manufactured articles in fulfillment of an export order but has been instructed by the foreign purchaser to withhold shipment until a later date, or a company whose records have been seized by a legal authority.

This initiative appeared in the 1991 Regulatory Plan as 473-RC:CE.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Teal, A/Manager, Drawback and Refund Policy Unit, Duties Relief Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6890

RC-CE-7

Duties Relief Regulations

Section 5 of these Regulations sets out the conditions under which security is to be provided with respect to the inward processing provisions of the Customs Tariff. These Regulations will be amended in response to requests from various Canadian associations that a maximum ceiling be established on the amount required for security with respect to those goods. The amendment will establish such a ceiling, provide added flexibility and reduce administrative costs to the importing community and bonding companies.

This initiative appeared in the 1991 Regulatory Plan as 474-RC:CE.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Teal, A/Manager, Drawback and Refund Policy Unit, Duties Relief Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6890

RC-CE-8

Importation of Motor Vehicle Parts (Codes 2480 and 2485) Regulations

These Regulations will replace the Entry of Motor Vehicle Parts (tariff items 43919-1 and 43824-1) Regulations made under the previous Customs Tariff. They will provide relief of duties respecting the importation of motor vehicle parts pursuant to codes 2480, 2481, 2482, 2485, 2486, 2490 and 2491 of Schedule II to the Customs Tariff and thereby reflect the enabling provisions and terminology of the new tariff.

This initiative will not have a significant impact on either importers or consumers as it will be very similar to the former regulations.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Dods, Manager, Transportation Policy and Monitoring Unit, Tariff Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7028

RC-CE-9

Refund of Duties Regulations

These Regulations set out the conditions under which a refund of duties may be paid. In response to concerns raised by various Canadian organizations and associations, the Regulations will be revised to simplify and streamline the procedures for submitting refund applications and their supporting documents. It is anticipated that this will reduce the paper burden.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Teal, A/Manager, Drawback and Refund Policy Unit, Duties Relief Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6890

RC-CE-10

Remission of Duties

Throughout the year, the Minister of National Revenue will sponsor the introduction of Orders-in-Council to remit duties paid or payable on goods imported into Canada. As a rule, remission of duties is proposed only in exceptional circumstances where a genuine need for relief from duties has been clearly demonstrated. The Orders will be proposed by the Interdepartmental Remission Committee, which comprises permanent representatives of the departments of Finance, of National Revenue, Customs and Excise, and of Industry, Science and Technology. The Committee may consult with Canadian manufacturers and producers to ensure the proposed Orders do not adversely affect Canadian industry.

This initiative appeared in the 1991 Regulatory Plan as 478-RC:CE.

Expected Date of Publication: Throughout the year, as required

Contact: C. Seymour, A/Secretary, Interdepartmental Remission Committee, Tariff Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6883

RC-CE-11

Reporting of Imported Goods Regulations

These Regulations describe the reporting requirements for all goods imported into Canada. As a rule, goods must be reported in writing but, in some cases, may be reported orally.

Amendments will allow carriers who have entered into an agreement with Customs to transmit electronically to customs offices cargo data required under the cargo control system. These amendments will reduce paper burden.

This initiative appeared in the 1990 Regulatory Plan as 461-RC:CE.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Emond, Director, Project Management Division, Commercial Operations Directorate, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 17th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7501

RC-CE-12

Special Services (Customs) Regulations

To obtain a more consistent and equitable application, these Regulations will be amended as follows: specific references to modes of transport and customs facilities will be added to further define the scope of special services; a revised schedule of special-service charges tied to the cost of providing special services will be established; the special-service charge schedule will be reviewed annually to ensure that the charges are equitable; certain costs to be paid will be linked to the rates formally authorized by Treasury Board; and a provision will stipulate that a bond, other than a Government of Canada bond, will be accepted to provide security for special-service charges.

Definitions clarifying the nature of special services and specifying who is entitled to request those services will be added.

These proposals will be the subject of consultations with the Canadian Association of Customs Brokers, the Canadian Importers Association and other affected parties.

This initiative appeared in the 1991 Regulatory Plan as 480-RC:CE.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: S.J. MacPherson, Project Leader, Port Administration Division, Department of National Revenue, Customs and Excise, Connaught Building, 3rd Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7533

RC-CE-13

Temporary Importation of Vessels Remission Orders

Periodically, Orders are made to remit customs duties and taxes on a 1/120 basis, on vessels which have been temporarily imported into Canada. These remissions are granted only where it has been demonstrated that there are no suitable Canadian-built or duty-paid vessels available to undertake a specific function. They are intended to promote Canadian industry by facilitating the performance of the work in question in Canada.

Since May 1990, the Vessel Duties Reduction or Removal Regulations have provided standing authority for these types of remissions. However, an additional Remission Order is required to account for the vessels temporarily imported prior to the passing of the Regulations.

This initiative appeared in the 1991 Regulatory Plan as 481-RC:CE.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: R.A. Struthers, Chief, Carrier Control, Licensing Division, Commercial Operations Directorate, Department of National Revenue, Customs and Excise, Connaught Building, 5th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7198

RC-CE-14

Temporary Importation Regulations

These Regulations provide for the importation, free of duty or at a reduced rate of duty, of certain classes of goods temporarily imported for use in Canada under certain terms and conditions. The Regulations are a consolidation of various instruments pertaining to temporary importation. The proposed amendments will correct an item which was inadvertently restricted during the consolidation, ensure a neutral consolidation of the former temporary importation provisions, and expand the Regulations to allow further relief provisions. These amendments will streamline the administrative procedures, reduce the paper burden and generally facilitate the temporary importation of goods.

This initiative appeared in the 1991 Regulatory Plan as 482-RC:CE.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: D. Hotchkiss, Manager, Remission Policy Unit, Tariff Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6878

RC-CE-15

Temporary Importation Remission Orders

Every year, remission is granted, retroactively, of a portion of the customs duties and sales tax paid or payable on certain goods required temporarily in Canada. These Orders allow Canadian industries to produce goods and provide services in a more cost-effective, and therefore more competitive, manner. They also reduce the administrative and financial burden on those industries and the department by removing the requirement to obtain legislative authority for individual cases.

This initiative appeared in the 1991 Regulatory Plan as 483-RC:CE.

Expected Date of Publication: Throughout the year, as required

Contact: D. Hotchkiss, Manager, Remission Policy Unit, Tariff Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6878

RC-CE-16

Transportation of Goods Regulations

These Regulations set out the circumstances under which goods that have been imported but not released may be transported within Canada.

The amendment will permit carriers who have entered into an agreement with Customs to keep their cargo records on magnetic tape or in disk format rather than on paper, thus reducing paper burden.

This initiative appeared in the 1990 Regulatory Plan as 467-RC:CE.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Emond, Director, Project Management Division, Commercial Operations Directorate, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 17th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7501

RC-CE-17

Used Motor Vehicle Exemption Regulations

Generally, used or second-hand motor vehicles have to be 15 years or older before they are exempt from the prohibitory terms of Code 9963 of Schedule VII to the Customs Tariff and can be imported into Canada. Under the terms of the Canada-United States Free Trade Agreement, the age restriction on motor vehicles imported from the United States has been gradually reduced to two years, effective 1 January 1992, and will be eliminated on 1 January 1993.

Every year, requests for exemption from the prohibition are made by individuals wishing to import vehicles. These requests are reviewed by departmental officials on a case-by-case basis. Because of special circumstances surrounding given cases, the Minister may recommend that Regulations be made exempting certain vehicles which are not already exempted by the existing Used or Second-Hand Motor Vehicle Regulations.

Because the number of vehicles exempted from the prohibition each year is relatively small, there will be no impact on either the Canadian new or used motor vehicle industries.

This initiative appeared in the 1991 Regulatory Plan as 484-RC:CE.

Expected Date of Publication: Throughout the year, as required

Contact: R. Dods, Manager, Transportation Policy and Monitoring Unit, Tariff Programs, Department of National Revenue, Customs and Excise, Connaught Building, 6th Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7028

Excise

RC-CE-18

Brewery Departmental Regulations

These Regulations prescribe the conditions for the determination of quantities of beer produced, computation of duty payable and refunding of duty paid. The Regulations will be amended to allow brewers to use public accountants to conduct the required inventory counts, thereby reducing the need for the presence of excise duty officers for such counts.

This amendment will provide increased flexibility to the industry as well as reduce the department's administrative and revenue collection costs.

This initiative appeared in the 1991 Regulatory Plan as 485-RC:CE.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: V. Cosman, Program Officer, Excise Duty, Legislation and Regulatory Affairs, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0114

RC-CE-19

Distillery Departmental Regulations

These Regulations prescribe the conditions for the determination of quantities of spirits produced and the use of domestic and imported blending material, and set out the particulars to be recorded in the daily books and records of distillers.

The Regulations will be amended to allow distillers to use public accountants to conduct the required inventory counts, thereby reducing the need for the presence of excise duty officers for such counts; to incorporate the record-keeping requirements currently set out in Section 8 of the Denatured Alcohol Regulations when those Regulations are revoked; to revoke the requirement to determine the number of barrels needed to contain the quantity of spirits to be emptied at the same time; and to allow the exportation of excise duty-paid goods returned to in-bond status.

The amendments will provide the industry with increased flexibility, allow it to take advantage of the export market and reduce the department's administrative and revenue collection costs.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: V. Cosman, Program Officer, Excise Duty, Legislation and Regulatory Affairs, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0114

RC-CE-20

Distillery Regulations

These Regulations prescribe the conditions for the colouring of pipelines, blending, bottling, distillation and re-distillation of domestic spirits. The amendment will delete the requirement that age strip stamps bear the year of manufacture of the spirits.

This will simplify the regulatory requirements and provide increased flexibility to the industry.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: V. Cosman, Program Officer, Excise Duty, Legislation and Regulatory Affairs, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0114

RC-CE-21

Excise Awards Regulations

Regulations will be made to authorize the payment of awards to persons who have assisted in the enforcement of the Excise Act. These Regulations will be similar to the former Customs and Excise Awards Regulations.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: V. Cosman, Program Officer, Excise Duty, Legislation and Regulatory Affairs, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0114

RC-CE-22

Labelling of Denatured Alcohol Regulations

The Labelling of Specially Denatured Alcohol and Denatured Alcohol Regulations, 1987, currently prescribe the labelling requirements for containers holding denatured alcohol and specially denatured alcohol to ensure that toxic denaturants are identified on product containers and packaging. These Regulations will be revoked and replaced with new Regulations, of a similar nature, that will ensure consistency with the enabling statute as well as the Hazardous Products Act.

The new Regulations will have no significant impact on users and manufacturers of denatured alcohol.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: V. Cosman, Program Officer, Excise Duty, Legislation and Regulatory Affairs, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0114

RC-CE-23

Manufacturers in Bond Departmental Regulations

These Regulations prescribe the conditions for the determination of quantities taken for use, abatements for deficiencies and drawbacks on goods exported and set out record-keeping requirements.

The Regulations will be amended to allow manufacturers in bond of goods subject to excise duty to use the services of public accountants to conduct the required inventory counts. By reducing the need for excise duty officers to be present for such counts, this amendment will provide increased flexibility to the industry and will help the department meet its objectives under the federal government's cost reduction program.

This initiative appeared in the 1991 Regulatory Plan as 489-RC:CE.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: V. Cosman, Program Officer, Excise Duty, Legislation and Regulatory Affairs, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0114

RC-CE-24

Remission of Taxes and Duties Paid or Payable under Excise Legislation

Throughout the year, circumstances may demand that Remission Orders be made to remit to taxpayers all or part of the duties or taxes paid or payable in order to provide equity of treatment between taxpayers. These Remission Orders usually have minimal revenue impact and are viewed favourably as a means of redressing inequitable situations.

This initiative appeared in the 1991 Regulatory Plan as 495-RC:CE.

Expected Date of Publication: Throughout the year, as required

Contacts: For matters pertaining to the Excise Tax Act: M.A. McMahon, Manager, Legislation and Regulations, GST, Department of National Revenue, Customs and Excise, Place Vanier, Tower C, 25 McArthur Avenue, 9th Floor, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-3552

For matters pertaining to the Excise Act: M. Henderson, A/Director, Excise Duty Directorate, Department of National Revenue, Customs and Excise, Place Vanier, Tower A, 3rd Floor, 25 McArthur Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 957-4138

RC-CE -25

Regulations Concerning Denatured Alcohol

The existing Denatured Alcohol Regulations prescribe the conditions for the importation, manufacture, sale and delivery of specially denatured alcohol. Specially denatured alcohol consists of ethyl alcohol that has been rendered unsuitable for human consumption with the addition of specified denaturants, many of which are toxic.

These Regulations will be revoked and replaced with the Specially Denatured Alcohol (Domestic) Regulations and the Specially Denatured Alcohol (Import) Regulations. The former will essentially replace those sections of the Denatured Alcohol Regulations relating to specially denatured alcohol produced in Canada while the latter will prescribe the conditions for the importation of such alcohol to ensure parity with that produced domestically. Thus, specially denatured alcohol that is imported will be required to be tested for denaturants, under Customs supervision, and certified as meeting specifications of the appropriate tariff classification. The current record-keeping requirements will be addressed in an amendment to the Distillery Departmental Regulations.

This initiative will have no significant impact on domestic users of specially denatured alcohol.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: V. Cosman, Program Officer, Excise Duty, Legislation and Regulatory Affairs, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0114

RC-CE-26

Tobacco Departmental Regulations

These Regulations prescribe the conditions for the handling, processing and labelling of tobacco products, and set out requirements pertaining to the application of tobacco stamps and record keeping.

The Regulations will be amended to establish an allowance from excise duty liability for overfilling of manufactured tobacco containers to offset net weight losses resulting from moisture evaporation. This will permit manufacturers to ensure that the reputed contents of containers are accurate at the time of purchase by consumers without being liable for the duty applicable to the overfill quantity.

Another amendment will allow tobacco products manufacturers to use the services of public accountants to conduct the required inventory counts. By reducing the need for excise duty officers to be present during the inventory counts, this amendment will provide increased flexibility to the industry and will help the department meet its objectives under the federal government's cost reduction program.

Part of this initiative appeared in the 1991 Regulatory Plan as 490-RC:CE.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: V. Cosman, Program Officer, Excise Duty, Legislation and Regulatory Affairs, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0114

Miscellaneous

RC-CE-27

Amendments to Regulations and Orders Pursuant to Customs and Excise Legislation

Throughout the year, the department receives representations from various interested organizations and associations regarding the Regulations it administers. These representations may result in amendments to the Regulations.

In addition, there may still be a need to amend Regulations and Orders affected by the implementation of the Goods and Services Tax as well as to develop related initiatives that could not be foreseen.

This initiative appeared in the 1991 Regulatory Plan as 492-RC:CE.

Expected Date of Publication: Throughout the year, as required

Contacts: For matters pertaining to Customs legislation:

P. Girard, A/Director, Legislative Affairs, Department of National Revenue, Customs and Excise, Connaught Building, 3rd Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6950

For matters pertaining to the Excise Act: D.K. Hudson, Chief, Legislation and Regulatory Affairs, Excise Duty Directorate, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0199

For matters pertaining to the Excise Tax Act: A. Lapointe, Manager, Policy, Casework and Regulations, Department of National Revenue, Customs and Excise, Place Vanier, Tower C, 10th Floor, 25 McArthur Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7071

For matters pertaining to the Goods and Services Tax: M.A. McMahon, Manager, Legislation and Regulations, GST, Department of National Revenue, Customs and Excise, Place Vanier, Tower C, 9th Floor, 25 McArthur Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-3552

RC-CE-28

Miscellaneous Amendments (Standing Joint Committee for the Scrutiny of Regulations)

Amendments to the following Regulations and Orders will be required as a result of concerns raised by the Standing Joint Committee for the Scrutiny of Regulations: Customs Brokers Licensing Regulations, Customs Sufferance Warehouse Regulations, Duty Free Shop Regulations, Importation of Motor Vehicle Parts (Code 2460) Regulations, Presentation of Persons (Customs) Regulations, and Ship Stores Regulations. The amendments will address certain legal issues as well as minor wording changes, such as correcting discrepancies or grammatical errors. There will likely be other amendments of the same nature to other Customs and Excise Regulations or Orders, as concerns are addressed in 1992.

This initiative appeared in the 1991 Regulatory Plan as 494-RC:CE.

Expected Date of Publication: Throughout the year, as required

Contacts: For matters pertaining to Customs legislation:

P. Girard, A/Director, Legislative Affairs, Department of National Revenue, Customs and Excise, Connaught Building, 3rd Floor, MacKenzie Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-6950

For matters pertaining to the Excise Act: D.K. Hudson, Chief, Legislation and Regulatory Affairs, Excise Duty Directorate, Department of National Revenue, Customs and Excise, Sir Richard Scott Building, 10th Floor, 191 Laurier Avenue West, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-0199

For matters pertaining to the Excise Tax Act: A. Lapointe, Manager, Policy, Casework and Regulations, Department of National Revenue, Customs and Excise, Place Vanier, Tower C, 10th Floor, 25 McArthur Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-7071

For matters pertaining to the Goods and Services Tax: M.A. McMahon, Manager, Legislation and Regulations, GST, Department of National Revenue, Customs and Excise, Place Vanier, Tower C, 9th Floor, 25 McArthur Avenue, Ottawa, Ontario, K1A 0L5. Tel. (613) 954-3552

Revenue Canada, Taxation

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General Information

Roles and Responsibilities

Revenue Canada, Taxation operates one program under the direction of a deputy minister who reports to the Minister of National Revenue. The objective of the program is to administer and enforce the Income Tax Act and various related federal and provincial statutes, including parts of the Canada Pension Plan, the Unemployment Insurance Act and various provincial tax credit plans. The department administers income tax legislation for the federal government, and is responsible for collecting the following: personal income tax on behalf of all provinces except Quebec, corporate income tax on behalf of all provinces except Alberta, Ontario and Quebec, and employee and employer premiums for the Unemployment Insurance Commission. The Department of Finance is responsible for tax policy and amendments to the Income Tax Act. National Revenue, Taxation provides advice on the administrative feasibility of proposed tax measures and supplies a statistical service used in the development of tax policy.

The department exists by virtue of the Department of National Revenue Act which charges it with the control, regulation, management and supervision of internal taxes including income taxes and succession duties. The Minister of National Revenue is responsible for Part I of the Canada Pension Plan and for Part III and Part VII of the Unemployment Insurance Act. The department will be responsible for the administration of Division III of the proposed Wage Claim Payment Act. The department also administers the Petroleum and Gas Revenue Tax Act and International Tax Agreements, which aim at promoting the exchange of information between treaty partners and at avoiding the double taxation of foreign-earned income by citizens of countries with treaties. In addition, under agreements entered into by the Minister of Finance with the provincial governments concerned according to provisions of Part III of the Federal-Provincial Fiscal Arrangements Act, the department collects income taxes for the provinces.

Legislative Mandate

- The Income Tax Act
- The Petroleum and Gas Revenue Tax Act
- The Canada Pension Plan, Part I
- The Unemployment Insurance Act, Part III and Part VII
- The Wage Claim Payment Act (proposed), Division III

RCT-1

Income Tax Regulations

Amendments to Part I and Schedule I of the Income Tax Act Regulations will change federal-provincial sharing of source deductions on wages, salaries and source deduction tables for employers to reflect indexing and federal/provincial budget changes.

Amendments to Part II of the Regulations will require information returns to be filed by persons of a described class in certain circumstances. The amendments will reflect budget changes and those classes of persons and circumstances which have been identified by this department as requiring the filing of information returns in order to enhance the effective administration of the Income Tax Act.

Part VI of the Regulations will list the new provisions of the Income Tax Act concerning late, amended or revoked elections.

Amendments to Part IX of the Regulations, concerning the delegation of powers and duties of the Minister, will reflect budget changes and changes to the titles of department officials as a result of a reorganization or reconsideration of the level to which the Minister's powers and duties should be delegated.

Amendments to Part XXV of the Regulations, concerning rules for the preparation of the annual tax tables to simplify the computation of the income tax payable by individuals and the type of persons who cannot use the tables, will reflect budget changes.

Amendments to Part XXX will list additional employment programs for which Revenue Canada, Taxation may communicate income tax information to the Department of Employment and Immigration.

Schedule VIII of the Regulations, listing universities outside Canada where donations are deductible for income tax purposes, will be amended to add additional universities which have been found to meet the requirement contained in the Income Tax Act or to reflect changes in the names of listed universities.

The impact of the amendments to Part I and Schedule I cannot be determined independently of the overall impact of the budget. While the new Part VI and amendments to parts II, IX, XXV and XXX are administrative in nature, the amendments to Part II will have a paper burden impact while those made to Part XXV could reduce the paper burden. The amendments to Schedule VIII are relieving in nature.

Part VI is a new initiative and the other proposed amendments are recurring initiatives which appeared in the 1991 Regulatory Plan as 496-RCT.

Expected Date of Publication: Schedule VIII – Second Quarter, 1992, *Canada Gazette*, Part II; Other amendments – As required

Contact: D.C. Burnett, Current Amendments and Regulations Division, Revenue Canada, Taxation, 123 Slater Street, Room 1043, Ottawa, Ontario, K1P 5H2. Tel. (613) 957-2076

RCT-2

Canada Pension Plan Regulations

These amendments to the Regulations will establish the maximum contributions to the Canada Pension Plan that can be made annually and the annual basic exemption. The amendments reflect the inflationary increase in salaries and wages as reflected by the industrial aggregate in Canada. A new initiative will provide that certain employment of members of a religious order will cease to be excepted employment. These amendments will be prepared in consultation with Health and Welfare, Canada.

Amendments to Schedule I of the Regulations, which provides source deduction tables for employers, are based on the revised maximum contributions and basic exemption. Amendments to Schedule IV of the Regulations, which sets out the list of types of employment by a provincial government that are excluded from pensionable employment, will reflect requests received from the governments of the provinces. Schedules V, VI, VII and VIII to the Regulations will be amended to reflect international agreements between the Government of Canada and international organizations or the governments of other countries. These agreements provide that certain employees of the international organizations or the other countries' governments who are employed in Canada are in exempt employment for the purposes of the Canada Pension Plan.

The precise impact of the described amendments cannot be determined at this time but generally changes will result in increased contributions. The figures necessary to establish the revised maximum contributions and basic exemption are not available at this time.

The amendment concerning members of a religious order is a new initiative. The other amendments are recurring initiatives which appeared in the 1991 Regulatory Plan as 497-RCT.

Expected Date of Publication: Regulations and Schedule I – Fourth Quarter, 1992, *Canada Gazette*, Part II; Schedules IV, V, VI, VII and VIII – As required

Contact: D.C. Burnett, Current Amendments and Regulations Division, Revenue Canada, Taxation, 123 Slater Street, Room 1043, Ottawa, Ontario, K1P 5H2. Tel. (613) 957-2076

RCT-3

Canada Pension Plan – Delegation of Powers

These amendments to the Regulations reflect budget changes and changes to the titles of department officials following departmental reorganization or reconsideration of the level of administrators to which the Minister's powers and duties should be delegated. The amendments are administrative in nature.

These are recurring initiatives which appeared in the 1991 Regulatory Plan as 498-RCT.

Expected Date of Publication: As required

Contact: D.C. Burnett, Current Amendments and Regulations Division, Revenue Canada, Taxation, 123 Slater Street, Room 1043, Ottawa, Ontario, K1P 5H2. Tel. (613) 957-2076

RCT-4

Unemployment Insurance – Collection of Premiums

These amendments to the Regulations are necessary to reflect changes to the Unemployment Insurance Act and jurisprudence; to co-ordinate the policies of this department with those of Employment and Immigration Canada concerning the recording of earnings and the determination of insurable earnings; and to simplify and clarify the Regulations to achieve uniformity of interpretation. Amendments to Part I of the Regulations concerning the determination of insurable earnings reflect budget changes. Amendments to the schedule to the Regulations are required to change source deduction tables for employers to reflect revised insurable earnings and premium rates as determined in accordance with the Unemployment Insurance Act.

The impact from budget-related changes cannot be determined independently of the overall impact of the budget. The impact from revised insurable earnings and premium rates cannot be determined since these figures are not available at this time.

These are recurring initiatives which appeared in the 1991 Regulatory Plan as 499-RCT.

Expected Date of Publication: Source deductions amendments – Fourth Quarter, 1992, *Canada Gazette*, Part II; Other amendments – As required

Contact: D.C. Burnett, Current Amendments and Regulations Division, Revenue Canada, Taxation, 123 Slater Street, Room 1043, Ottawa, Ontario, K1P 5H2. Tel. (613) 957-2076

RCT-5

Unemployment Insurance – Delegation of Powers

Amendments to the Regulations reflect budget changes and changes to the titles of department officials following departmental reorganization or reconsideration of the level of administrators to which the Minister's powers and duties under Part III and Part VII of the Unemployment Insurance Act should be delegated. These amendments are administrative in nature.

These are recurring initiatives which appeared in the 1991 Regulatory Plan as 500-RCT.

Expected Date of Publication: As required

Contact: D.C. Burnett, Current Amendments and Regulations Division, Revenue Canada, Taxation, 123 Slater Street, Room 1043, Ottawa, Ontario, K1P 5H2. Tel. (613) 957-2076

RCT-6

Petroleum and Gas Revenue Tax Regulations

Amendments to Section 12 of the Regulations concerning delegation of the Minister's powers and duties will reflect changes to the titles of department officials following departmental reorganization or reconsideration of the level of administrators to which the Minister's powers and duties should be delegated. These amendments are administrative in nature.

These are recurring initiatives which appeared in the 1991 Regulatory Plan as 501-RCT.

Expected Date of Publication: As required

Contact: D.C. Burnett, Current Amendments and Regulations Division, Revenue Canada, Taxation, 123 Slater Street, Room 1043, Ottawa, Ontario, K1P 5H2. Tel. (613) 957-2076

RCT-7

Wage Claim Payment Regulations

These new Regulations are necessary for the administration of Division III of the proposed Wage Claim Payment Act. The Regulations will provide the time and manner in which amounts payable under that Act will be remitted to the Receiver General, the rate of interest to be paid on late payments and refunds of overpayment, the date after which the priority-claim provisions of the Act are effective, the delegation of the Minister's powers and duties under the Act to department officials and other such Regulations as may be required by the Act.

These initiatives have no impact. They are administrative in nature and facilitate the operation of the Act.

These are new initiatives.

Expected Date of Publication: As required

Contact: D.C. Burnett, Current Amendments and Regulations Division, Revenue Canada, Taxation, 123 Slater Street, Room 1043, Ottawa, Ontario, K1P 5H2. Tel. (613) 957-2076

RCT-8

Advance Rulings Fees Order

These amendments will revise the hourly fees to be charged for the preparation of "advance rulings."

Taxpayers seeking advance rulings will pay higher fees. The amendments will allow Revenue Canada, Taxation to recover the increased cost of processing advance rulings requests. The revised rates will be in accordance with the government's policy of cost recovery from users of government services.

These are recurring initiatives which appeared in the 1991 Regulatory Plan as 502-RCT.

Expected Date of Publication: As required

Contact: T.R. Fowler, Financial Analysis and Resource Allocation Directorate, Revenue Canada, Taxation, 88 Metcalfe Street, Room 602, Ottawa, Ontario, K1P 5L7. Tel. (613) 957-7341

RCT-9

Special Services Fees Order

These amendments will revise the fees to be charged for special services provided by Revenue Canada, Taxation. The revised fees will be based on a cost-recovery calculation that is approved by Treasury Board. The services to be provided consist of use of computers and related services to provide specialized analyses of taxation data, not otherwise available, to provincial governments, other public authorities, educational institutions and private consultants. The analyses provided will not contravene the confidentiality provisions of the Income Tax Act.

The amount of the revised fees cannot be determined at this time. The fees will be established in accordance with the government's policy of cost recovery.

These are recurring initiatives which appeared in the 1991 Regulatory Plan as 503-RCT.

Expected Date of Publication: As required

Contact: T.R. Fowler, Financial Analysis and Resource Allocation Directorate, Revenue Canada, Taxation, 88 Metcalfe Street, Room 602, Ottawa, Ontario, K1P 5L7. Tel. (613) 957-7341

RCT-10

Registered Charities Information Return Fee Order

These amendments will revise the fees to be charged for making photocopies of charitable organizations' returns for provincial authorities, educational institutions and other interested parties. The revised fees will be based on a cost-recovery calculation that is approved by Treasury Board. Subsection 149.1(15) of the Income Tax Act provides that returns of charitable organizations may be provided to the public and does not contravene the confidentiality provisions of that Act.

The amount of the revised fees cannot be determined at this time. The fees will be established in accordance with the government's policy of cost recovery.

These are recurring initiatives which appeared in the 1991 Regulatory Plan as 504-RCT.

Expected Date of Publication: As required

Contact: T.R. Fowler, Financial Analysis and Resource Allocation Directorate, Revenue Canada, Taxation, 88 Metcalfe Street, Room 602, Ottawa, Ontario, K1P 5L7. Tel. (613) 957-7341

Solicitor General Canada

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General Information

Roles and Responsibilities

Four agencies make up the Ministry of the Solicitor General: the Royal Canadian Mounted Police (RCMP), the National Parole Board (NPB), the Correctional Service of Canada (CSC) and the Canadian Security Intelligence Service (CSIS). The Ministry also includes three review bodies, the RCMP External Review Committee, the RCMP Public Complaints Commission and the Inspector General of the Canadian Security Intelligence Service. The Office of the Correctional Investigator is also responsible to the Minister. In addition, a secretariat provides advice to the Solicitor General on policing, corrections and national security and advises on Ministry policy.

Legislative Mandate

The Solicitor General administers:

- Department of the Solicitor General Act
- Royal Canadian Mounted Police Act
- Penitentiary Act
- Parole Act
- Prisons and Reformatories Act
- Canadian Security Intelligence Service Act
- Criminal Records Act
- Transfer of Offenders Act

Administrative Arrangements

The Ministry's additional operational responsibilities are carried out under:

- Identification of Criminals Act
- Security Offences Act
- Official Secrets Act
- Diplomatic and Consular Privileges and Immunities Act
- Immigration Act

Operational responsibilities also include certain sections of the Criminal Code relating to electronic interception, designation of fingerprint and counterfeit examiners, and the Firearms Annual Report, which are administered by other departments. The RCMP enforces all federal statutes, when they are not under the jurisdiction of another department or agency.

Initiatives

Solicitor General Canada

SGC-1

Transfer of Offenders Act Schedule

The Transfer of Offenders Act enables Canada to negotiate multilateral and bilateral treaties with other countries to allow persons convicted of offences in foreign countries to serve their sentences in their home country. The schedule to the Act lists those countries with whom Canada has concluded treaties. The amendment to the schedule, a routine initiative, has appeared in previous regulatory plans and will continue to be undertaken each time a country ratifies a treaty with Canada respecting the Transfer of Offenders Act.

Few Canadians and fewer foreign nationals will be affected on ratification of an agreement with Canada. The subsequent changes to the schedule will ensure that all interested parties are made aware of these changes.

This initiative appeared in the 1991 Regulatory Plan as 506-SGC.

Expected Date of Publication: As required to maintain the currency of the schedule

Contact: I. Blackie, A/Director, Institutional Policy, Corrections Policy and Program Analysis, Solicitor General Secretariat, 11th Floor, 340 Laurier Avenue West, Ottawa, Ontario, K1A 0P8. Tel. (613) 991-2802

Correctional Service Canada

CSC-1

Intermediary Offence

Current Regulations provide varying sanctions for three levels of disciplinary offences dependent on the degree of seriousness of the misconduct: minor, intermediary and major. This initiative would remove the intermediary category as the maintenance of three categories has resulted in confusion in determining the level at which the misconduct should be considered. Minor offences would denote behaviour that is not of a serious nature but significant enough to warrant control through the disciplinary process. The second category would consist of flagrant or serious major offences, considered to have either created, or have the potential to create, a serious impact on institutional security or the welfare of staff members or other inmates.

These amendments will affect federal inmates because it will clarify behaviour which violates the rules and regulations of the institution. This will result in disciplinary action being taken on two distinct levels.

This initiative appeared in the 1991 Regulatory Plan as 511-CSC.

Expected Date of Publication: Third Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Brendan Reynolds, Assistant Commissioner, Communications and Corporate Development, Correctional Service of Canada, 340 Laurier Street West, Ottawa, Ontario, K1A 0P9. Tel. (613) 995-2792

CSC-2

Searching

In the *Jackson* case the Federal Court of Canada quashed the section of the Penitentiary Service Regulations which empowers the Correctional Service of Canada (CSC) to require an inmate to provide a urine sample where it was considered necessary to detect the presence of an intoxicant. The Court found that the relevant Regulation contravened the Charter of Rights and Freedoms. In order to address this ruling, the CSC is proposing a new section of the Regulations providing a urinalysis program which conforms with the Charter of Rights and Freedoms. This initiative will authorize the Correctional Service of Canada to implement a program of testing of federal offenders for alcohol and drug use by means of urinalysis procedures.

Overall, the objective in developing a urinalysis program is to reduce the demand for illicit drugs, thereby providing a safer environment not only for individual inmates but also for staff, visitors and members of the community. Of equal importance is the protection of the health of persons being tested through the identification of substance abuse problems and referral to appropriate treatment programs. The Regulation will set out detailed provisions covering the criteria by which offenders may be tested, the technical requirements that are to be adhered to, and the sanctions that may be imposed if an offender refuses to provide a sample or the test results are positive. The Regulation permits urinalysis testing of both inmates in penitentiary and offenders under supervision in the community. Consequent to the program, the disciplinary Regulations would be amended to include a new offence category of "failure to provide."

This initiative would affect the Correctional Service of Canada staff members, inmates housed within federal institutions and offenders under supervision. The program is to be put into operation gradually. Costs fall into two main areas: training of staff to administer the program, and the laboratory services related to collection and analysis of samples. It is anticipated that these costs will be offset by significant benefits accruing from a reduction of security incidents and other problems which are associated with drug and alcohol abuse.

This initiative appeared in the 1991 Regulatory Plan as 513-CSC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Brendan Reynolds, Assistant Commissioner, Communications and Corporate Development, Correctional Service of Canada, 340 Laurier Street West, Ottawa, Ontario, K1A 0P9. Tel. (613) 995-2792

CSC-3

Reading Materials

The Correctional Service of Canada attaches importance to the quality of material which enters institutions. Although inmates normally have access to reading and viewing material which is legally sold in retail outlets in the province in which the institution is located, current provisions of the Penitentiary Service Regulations do provide for the censorship of reading material that is calculated to affect adversely the good order or administration of the institution. This initiative would clarify that the Regulation applies to video material and would extend the focus for assessment to an adverse influence on the reformation and rehabilitation of inmates in addition to the good order or administration of the institution.

This initiative would affect inmates housed within federal facilities.

This initiative appeared in the 1991 Regulatory Plan as 514-CSC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Brendan Reynolds, Assistant Commissioner, Communications and Corporate Development, Correctional Service of Canada, 340 Laurier Street West, Ottawa, Ontario, K1A 0P9. Tel. (613) 995-2792

CSC-4

Duty of Members

Current Regulations state that it is the duty of members to use their best endeavours to achieve the purposes and objectives of the Correctional Service of Canada (CSC). The service has incorporated these purposes and objectives into a mission statement. This initiative will place a legal obligation on members to give effect, to the best of their ability, to the philosophy of the mission which provides assistance and encouragement where possible and controls where necessary. An amendment to the Regulations would incorporate this new direction of CSC.

This initiative appeared in the 1991 Regulatory Plan as 515-CSC.

Expected Date of Publication: Third Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Brendan Reynolds, Assistant Commissioner, Communications and Corporate Development, Correctional Service of Canada, 340 Laurier Street West, Ottawa, Ontario, K1A 0P9. Tel. (613) 995-2792

CSC-5

Sale of Custom Work

Current Regulations restrict the sale of articles or products, produced by the labour of inmates employed in penitentiary industry, to government departments or any charitable, religious or non-profit organizations. This Regulation, however, does not govern the sale of custom work. This initiative will authorize the sale of custom work to the Correctional Service of Canada staff.

This initiative appeared in the 1991 Regulatory Plan as 516-CSC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Brendan Reynolds, Assistant Commissioner, Communications and Corporate Development, Correctional Service of Canada, 340 Laurier Street West, Ottawa, Ontario, K1A 0P9. Tel. (613) 995-2792

CSC-6

Reception Procedures

Current Regulations require an investigation into the medical, psychological, social, educational and vocational condition and history of the inmate and the motivation for his offence as part of the reception procedure. It is now considered that collection of the information relating to the offender's criminal background should be added to this list.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Brendan Reynolds, Assistant Commissioner, Communications and Corporate Development, Correctional Service of Canada, 340 Laurier Street West, Ottawa, Ontario, K1A 0P9. Tel. (613) 995-2792

CSC-7

Corrections Regulations

The Minister of Justice and the Solicitor General released a consultation paper in July 1990 on major proposed reforms to sentencing, corrections and conditional release. These proposals formed the basis for consultations which could result in the submission of a package of legislative amendments to Parliament. If approved, these legislative changes would require substantive amendments to the Penitentiary Service Regulations in 1992.

These changes are designed to bring more fairness, clarity and consistency to the justice system and will contain legislated statements of purpose and principles of sentencing, corrections and conditional release. The consultation package emphasizes better public access to the criminal justice system and proposes measures to improve the sharing of information on offenders and continued improvements in correctional programming for all offenders. Major changes to the Regulations governing the Correctional Service of Canada will be required to flesh out the details of the objectives, principles and programs found in the new Act.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Brendan Reynolds, Assistant Commissioner, Communications and Corporate Development, Correctional Service of Canada, 340 Laurier Street West, Ottawa, Ontario, K1A 0P9. Tel. (613) 995-2792

National Parole Board

NPB-1

Parole Regulations

The Minister of Justice and the Solicitor General released a consultation paper in July 1990 on major proposed reforms to sentencing, corrections and conditional release. These proposals formed the basis for consultations which could result in the submission of a package of legislative amendments to Parliament. If approved, these legislative changes would require substantive amendments to the Parole Regulations in 1992.

These changes are designed to bring more fairness, clarity, and consistency to the justice system and will contain separate legislated statements of purpose and principles of sentencing, corrections and conditional release. The consultation package emphasizes better public access to the criminal justice system and proposes measures to improve the sharing of information on offenders and continued improvements in correctional programming for all offenders. Specific changes to the Parole Regulations, based on these objectives and principles, will ensure that the risk of re-offending and public safety are the paramount considerations in conditional release and will reflect the National Parole Board's commitment to openness, accountability and professionalism in its decision making.

This initiative appeared in the 1991 Regulatory Plan as 508-NPB.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Robert Adlard, Director, Program Policy, National Parole Board, 9th Floor, 340 Laurier Avenue West, Ottawa, Ontario, K1A 0R1. Tel. (613) 954-5912

Royal Canadian Mounted Police

RCMP-1

RCMP Superannuation Regulations 8(1)

Subsection 8(1) of the Royal Canadian Mounted Police Superannuation Regulations is to be amended to treat air pay, instrument pay and air responsibility allowance as superannuable. The effect of this amendment is limited to those members of the RCMP engaged in flying duties and will allow these members to have their pensions calculated on the pay they are actually receiving for their duties in the Force.

This initiative appeared in the 1991 Regulatory Plan as 518-RCMP.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Supt. J. Plomp, Compensation Branch, RCMP, 1200 Vanier Parkway, Ottawa, Ontario, K1A 0R2.
Tel. (613) 993-1418

RCMP-2

RCMP Superannuation Regulations 48(1)(c)

Paragraph 48(1)(c) of the Royal Canadian Mounted Police Pension Continuation Act provides for a lump sum payment equal to the value of a pension where a former RCMP member dies without a spouse or children. The provision to determine the actuarial lump sum is unclear and a new Regulation under authority of Paragraph 59(a) of the Act to prescribe the basis for determination is required. The effect of this initiative is limited to those retired members of the RCMP who contributed to the RCMP Pension Continuation Act.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Supt. J. Plomp, Compensation Branch, RCMP, 1200 Vanier Parkway, Ottawa, Ontario, K1A 0R2.
Tel. (613) 993-1418

RCMP-3

RCMP Superannuation Regulations 10(1)

Subsection 10(1) of the Royal Canadian Mounted Police Superannuation Regulations is to be amended to clarify the amount of contribution required for all periods when a member is not receiving pay and allowances. The effect of this initiative is limited to those members of the RCMP on leave without pay.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Supt. J. Plomp, Compensation Branch, RCMP, 1200 Vanier Parkway, Ottawa, Ontario, K1A 0R2.
Tel. (613) 993-1418

RCMP-4

Fees for the RCMP Musical Ride

The Regulations authorize the Solicitor General, under the authority of the Financial Administration Act, to prescribe, by Order, the fees or charges to be paid by every sponsor for each performance of the RCMP Musical Ride. Fees are considered necessary to ensure the sponsor makes adequate publicity and effort to ensure a successful performance since all other costs are borne by the RCMP.

This initiative appeared in the 1991 Regulatory Plan as 521-RCMP.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Supt. J.G.L. Boivin, Ceremonies Branch, Public Affairs Directorate, RCMP, 1200 Vanier Parkway, Ottawa, Ontario, K1A 0R2. Tel. (613) 990-7691

RCMP-5

Fees for the Training of Police Dogs

These Regulations authorize the Solicitor General, under the Financial Administration Act, to prescribe, by Order, the fees or charges to be paid by a person or agency for whom the RCMP undertakes to train a police service dog. These costs will cover handler's meals and lodgings and the maintenance of the dog. These fees are necessary to defray the costs of providing this service.

This initiative appeared in the 1991 Regulatory Plan as 522-RCMP.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: A/Commr. A.D. Lagassé, Director of Training, RCMP, 1200 Vanier Parkway, Ottawa, Ontario, K1A 0R2.
Tel. (613) 990-7249

RCMP-6

Sale or Lease of Materiel of the RCMP

This Regulation will authorize the Commissioner of the RCMP to sell or lease articles of clothing, kit or other materiel of the Force, other than classified materiel to members, retired members, other police forces, museums, historical societies and persons engaged in the production of films and theatrical presentations. This initiative is a restatement of a previous authority.

This initiative appeared in the 1991 Regulatory Plan as 523-RCMP.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Supt. R.A. MacAlister, Materiel Management Branch, RCMP, 1200 Vanier Parkway, Ottawa, Ontario, K1A 0R2. Tel. (613) 993-3178

RCMP-7

Royal Canadian Mounted Police Regulations, 1988

The Royal Canadian Mounted Police Regulations, 1988 were introduced in June 1988 in conjunction with the proclamation of substantial amendments to the Royal Canadian Mounted Police Act. As a result of the ongoing review to these Regulations and to respond to the statutory review process, miscellaneous amendments have been identified to improve the operation and clarity of these Regulations. The impact of these amendments will be limited to members of the Royal Canadian Mounted Police.

This initiative appeared in the 1991 Regulatory Plan as 524-RCMP.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

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RCMP-8

Royal Canadian Mounted Police Regulations, 1988 36(a)

Paragraph 36(a) is to be amended to clearly identify the types of grievances to be referred to the RCMP External Review Committee. This amendment would reflect the expanded interpretation of Paragraph 36(a) agreed upon by the Commissioner and the Chairman of the External Review Committee. The impact of this amendment will be limited to the members of the RCMP.

This initiative appeared in the 1991 Regulatory Plan as 525-RCMP.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette* Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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Tel. (613) 993-1394

Transport Canada

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General Information

Roles and Responsibilities

Transport Canada carries out its role through a complex structure which includes a headquarters and four operating groups – Marine, Aviation, Airports and Surface Transportation, as well as a number of Crown corporations and agencies with varying degrees of autonomy. Because the nature of the department's operations and activities are dynamic, the Department of Transport's regulatory activity is one of the largest and most complex among government departments.

The Policy and Co-ordination Group conducts substantive studies of the national transportation system in all its complexities and works with departmental components, the regulatory agency, federal and provincial departments, as well as carriers and users of the transportation system, to revise and update legislation to reflect current Canadian realities.

The major regulation-making activities of the department result from aviation, airports, marine and surface organization responsibilities for providing and operating transportation facilities and services and for ensuring compliance with operating or manufacturing standards and Regulations. An important continuing aspect of these responsibilities is to ensure that the national transportation system meets the highest practicable safety standards.

Departmental components administer a multitude of charges, tariffs and fees, most of which are subject to ongoing review and revision to reflect such factors as changes in operating or administrative costs or the impact of changes in collective agreements.

The 1992 Federal Regulatory Plan is structured to reflect the organizational framework of the department. Differences in responsibilities, activities, enabling legislation and the segment of the transportation industry served, are recognized.

The provision of certain ferry services is also part of the Minister's mandate. As well, the Crown corporation provisions of the Financial Administration Act have a significant impact on the interactions between CN, Marine Atlantic Inc., VIA Rail, the Canada Ports Corporation, other Crown corporations and departmental administration activity.

The Minister is either the sole shareholder or the designated Minister responsible to Parliament for the following Crown corporations:

- Canadian National
- Canada Ports Corporation and Local Ports Corporations (7)
- St. Lawrence Seaway Authority
- VIA Rail Canada
- Marine Atlantic Inc.
- Pilotage Authorities (4)
- Canada Harbour Place Corporation

Legislative Mandate

The major statutes under the jurisdiction of the Minister of Transport are the following:

- Aeronautics Act
- Arctic Waters Pollution Prevention Act
- Atlantic Region Freight Assistance Act
- Canada Ports Corporation Act
- Canada Shipping Act
- Canadian National Railways Act
- Carriage by Air Act
- Carriage of Goods by Water Act
- Department of Transport Act
- Government Railways Act
- Hamilton Harbour Commissioners Act
- Harbour Commissions Act
- Marine Atlantic Inc. Acquisition Act
- Maritime Code Act
- Maritime Freight Rates Act
- Motor Vehicle Fuel Consumption Standards Act
- Motor Vehicle Safety Act
- Motor Vehicle Tire Safety Act
- Motor Vehicle Transport Act, 1987
- National Transportation Act, 1987
- Navigable Waters Protection Act
- Non-Smokers' Health Act
- Pilotage Act
- Public Harbours and Port Facilities Act
- Railway Act
- Railway Safety Act
- Railway Relocation and Crossing Act
- Safe Containers Convention Act
- St. Lawrence Seaway Authority Act
- Shipping Conferences Exemption Act, 1987
- Toronto Harbour Commissioners Act
- Transportation of Dangerous Goods Act
- Western Grain Transportation Act

Initiatives

Departmental Administration

Finance (Fees and Charges)

TC-1

Air Regulations (Section 820)

Existing fees for aviation regulatory services will be increased and new fees introduced for services currently provided at no charge to users.

These fees apply to aircraft manufacturers, owners and operators, as well as individuals involved in the aviation sector who require a licence. Users have been consulted and their comments will be considered carefully before any decision is taken on implementation of these fees.

This initiative appeared in the 1991 Regulatory Plan as 528-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Andreassen, Director, Cost Recovery Branch, Economic Evaluation and Cost Recovery Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5.
Tel. (613) 990-3850

TC-2

Marine Navigation Aids and Services Fees Regulations

Fees for marine navigation aids and services will be introduced. The proposed fees would apply to the commercial transport of passengers and cargo, other than on ferries, in Canadian waters. Users have been consulted and their comments will be considered carefully before any decision is taken on the implementation of these fees.

This initiative appeared in the 1991 Regulatory Plan as 530-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Andreassen, Director, Cost Recovery Branch, Economic Evaluation and Cost Recovery Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5.
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TC-3

Air Services Charges Regulations

One amendment is planned to implement proposed new and increased airport and en route charges levied on aircraft operators. A second amendment is planned later in the year to implement a number of technical and housekeeping changes.

Users have been consulted on the first amendment. Their comments will be considered carefully before any decision is made on the implementation of these proposals.

This initiative appeared in the 1991 Regulatory Plan as 527-TC.

Expected Date of Publication: First Quarter 1992, *Canada Gazette*, Part II; First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Andreassen, Director, Cost Recovery Branch, Economic Evaluation and Cost Recovery Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5.
Tel. (613) 990-3850

Security and Emergency Planning Group

TC-4

Railway Security Regulations

This initiative is intended to enhance the safety and security of the rail transportation system.

These Regulations will require rail companies to establish, maintain and carry out security measures as prescribed by the Minister in respect of railway works, equipment and operations with both normal and increased security levels.

This initiative appeared in the 1990 Regulatory Plan as 517-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: H.H. Whiteman, Director, Security Policy, Planning and Legislative Programs Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-9619

Policy and Co-ordination Group

Economic Analysis

TC-5

Air Carrier Provision of Information Regulations

Under the present Regulations, a large regional carrier would be required to provide a daily account of passengers and cargo by flight and airport. This amendment would require condensed reports for passenger traffic only. These statistics are necessary to fulfill the government's commitments to the safety, maintenance and planning of the air transportation system.

The amendment will provide large regional air carriers with some relief in the reporting of airport activity statistics.

This initiative appeared in the 1991 Regulatory Plan as 534-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: R.M. Duclos, A/Director, Air Statistics and Forecasts Branch, Economic Analysis Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-3820

Strategic Policy

TC-6

Part VII Exemption Regulations

Internal reorganizations implemented by corporations, involving, either directly or indirectly, the acquisition of a transportation undertaking where both the acquirer and the transportation undertaking are owned by one person, are presently exempt from notifying the National Transportation Agency under a 1991 amendment to the Part VII Exemption Regulations. However, this amendment did not provide for a notification exemption if more than one person was involved in the acquisition.

The proposed amendment is expected to reduce the regulatory burden on corporations making internal reorganizations which will have no impact on either the public interest or the transportation marketplace.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Shlachter, Senior Policy Analyst, Multi-modal Policy Branch, Strategic Policy Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 991-6467

Co-ordination

TC-7

Atlantic Region Selective Assistance Regulations

These Regulations will provide for the addition of commodities entitled to subsidization. Manufacturers and producers located in the Atlantic provinces and the Gaspé region of Quebec (east of Lévis and south of the St. Lawrence River) may receive a transportation subsidy to permit their commodities to compete with other manufacturers and producers located in the central Canada market area.

The anticipated impact of the amended Regulations will be an additional 20 per cent reduction of freight costs for a few commodity items moving within the select territory. The number of items and amount of reduction will depend upon the number of applications received and approved by a screening committee of federal and provincial officials (Federal/Provincial Committee on Atlantic Region Transportation - F/P CART).

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 535-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: D. Bedier, Senior Advisor, Atlantic Region, Intergovernmental Relations and Environmental Affairs Branch, Co-ordination Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 991-6410

Air Policy and Programs

TC-8

Aviation War Risks Insurance Regulations

The Marine and Aviation War Risks Act authorizes the Minister of Transport to provide aviation war risk insurance adequate to meet the needs of Canadian air commerce and the federal government in the event that war risk insurance was commercially unavailable on reasonable terms and conditions.

The need for federal government involvement in war risk insurance is due to a number of factors: commercial war risk insurance policies contain automatic cancellation clauses in the event of major war; the geographical coverage of commercial war risk insurance can be restricted upon reasonable notice to air carriers; and rates for commercial war risk insurance can be raised without limit upon reasonable notice to air carriers.

The Act empowers the Minister to enter into an agreement with any person or association for the insurance or reinsurance against any or all war risks. In addition, the Governor in Council may make Regulations for carrying out the purposes and provisions of the Act.

To date, the Governor in Council has not passed any Regulations pursuant to the Act and the Minister has not entered into any insurance or reinsurance agreements in the area of aviation. In the area of marine transportation, an agreement exists between the Minister and the Canadian Shipowners Mutual Assurance Association, a private company which carries on the business of marine insurance. Under this agreement, the Minister agrees to insure as reinsurer of the Association all vessels to which the Act applies.

This program will not involve any new costs or economic implications for the industry.

This initiative appeared in the 1991 Regulatory Plan as 536-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: R. Bedard, Senior Policy Advisor, Domestic Air Policy Branch, Air Policy and Programs Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5.
Tel. (613) 991-6442

Surface Policy and Programs

TC-9

Commercial Drivers Hours of Service Regulations

This initiative is intended to address the operational and industry sector-specific aspects of the Commercial Vehicles Drivers Hours of Service Regulations.

The latest version of the federal Regulation came into force on 5 July 1989. Most of the provinces phased in their Regulations throughout 1989. Provincial officials enforce both federal and provincial Regulations.

Since the Regulations came into effect, a number of areas have been identified where operational experience has shown that modifications are desirable. In addition, experience has also indicated that sector-specific modifications may be necessary to accommodate the complexity of certain industry sectors captured by the Regulations.

This initiative will facilitate the efficient operation of the national commercial vehicle hours of service regime and no new costs to the industry are anticipated.

This initiative appeared in the 1991 Regulatory Plan as 537-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: M. House, Chief, Policy and Regulations, Motor Carrier Policy and Programs Branch, Surface Policy and Programs Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1905

TC-10

Atlantic Region Freight Assistance Regulations

The Regulations made pursuant to the Atlantic Region Freight Assistance Act will be amended to bring them up-to-date.

These amendments will allow the use of automated data processing equipment and eliminate the requirement to substantiate claims with copies of actual shipping documents. They will also remove the requirement for carriers to file tariffs with regulatory bodies and will make specific reference to contribution agreements to facilitate carrier submission of claims and electronic funds transfer.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Hoisak, Director, Rail Freight Policy Branch, Surface Policy and Programs Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-2687; or J.K. Simpson, Director, Atlantic Region, National Transportation Agency, P.O. Box 6080, Moncton, New Brunswick, E1C 9L5. Tel. (506) 851-2529

TC-11

Atlantic Region Selective Assistance Regulations

The Regulations made pursuant to the Atlantic Region Freight Assistance Act will be amended to bring them up-to-date.

These amendments will allow the use of automated data processing equipment and eliminate the requirement to substantiate claims with copies of actual shipping documents. They will also remove the requirement for carriers to file tariffs with regulatory bodies and will make specific reference to contribution agreements to facilitate carrier submission of claims and electronic funds transfer.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Hoisak, Director, Rail Freight Policy Branch, Surface Policy and Programs Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-2687; or J.K. Simpson, Director, Atlantic Region, National Transportation Agency, P.O. Box 6080, Moncton, New Brunswick, E1C 9L5. Tel. (506) 851-2529

TC-12

Atlantic Regional Special Selective and Provisional Assistance Regulations

The Regulations made pursuant to the Atlantic Region Freight Assistance Act will be amended to bring them up-to-date.

These amendments will allow the use of automated data processing equipment and eliminate the requirement to substantiate claims with copies of actual shipping documents. They will also remove the requirement for carriers to file tariffs with regulatory bodies and will make specific reference to contribution agreements to facilitate carrier submissions of claims and electronic funds transfer.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Hoisak, Director, Rail Freight Policy Branch, Surface Policy and Programs Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-2687; or J.K. Simpson, Director, Atlantic Region, National Transportation Agency, P.O. Box 6080, Moncton, New Brunswick, E1C 9L5. Tel. (506) 851-2529

TC-13

Maritime Freight Rates Compensation Regulations

Regulations will be issued pursuant to the Maritime Freight Rates Act, in order to enhance and expedite the process of administering the Act.

These Regulations will allow the use of automated data processing equipment and eliminate the requirement to substantiate claims with copies of actual shipping documents, and will make specific reference to contribution agreements to facilitate carrier submission of claims and electronic funds transfer.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: P. Hoisak, Director, Rail Freight Policy Branch, Surface Policy and Programs Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-2687; or J.K. Simpson, Director, Atlantic Region, National Transportation Agency, P.O. Box 6080, Moncton, New Brunswick, E1C 9L5. Tel. (506) 851-2529

Substance Use in Transportation

TC-14

Safe and Substance Free Transportation Regulations

This policy initiative addresses the issue of alcohol or drug use by employees holding safety-sensitive positions in Canadian transportation.

Detailed research, including pertinent surveys, has been conducted on the nature and extent of substance use by safety-sensitive employees across all modes of transportation. The surveys indicated a level of usage similar to that of the Canadian population overall, i.e., a small percentage of employees in safety-sensitive jobs were sometimes under the influence of alcohol or drugs while at work.

The policy establishes a comprehensive series of measures to prevent and deal with substance use in safety-sensitive positions, and thereby maintain and enhance the safety of the transportation system.

Amendments to a number of statutes under the jurisdiction of the Minister of Transport, including the Aeronautics Act, Pilotage Act, Canada Shipping Act, the Railway Safety Act and new Regulations, are contemplated.

Preliminary costs have been determined and will be absorbed by affected departments and industry. A cost analysis and resulting benefits-study of the policy will be conducted by the department to accompany the Regulations.

Failure to enact this legislation could cause difficulties in cross-border trade with the United States where strict Regulations are in effect to prevent substance use by employees in safety-sensitive positions, including truck drivers, pilots, ship crews and locomotive engineers.

This initiative appeared in the 1991 Regulatory Plan as 538-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: T. Rudback, Executive Director, Substance Use in Transportation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 993-5064

Canada Ports Corporation

TC-15

Montreal and Saint John Port Corporation Administrative By-laws

These by-laws will regulate the internal administration of the corporations, their boards, officers and employees.

There will be no impact on the public.

This initiative appeared in the 1991 Regulatory Plan as 541-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: D.J. Taddeo, General Manager and Chief Executive Officer, Montreal Port Corporation, Port of Montreal Building, Cité du Havre, Wing No. 1, Montreal, Quebec, H3C 3R5. Tel. (514) 283-7042; or K.R. Krauter, General Manager and Chief Executive Officer, Saint John Port Corporation, 133 Prince William Street, Saint John, New Brunswick, E2L 2B5. Tel. (506) 648-4869

TC-16

Vancouver Port Corporation Navigation Restriction By-law

This by-law will be amended to redefine the areas of Vancouver harbour where navigation is restricted.

This initiative appeared in the 1991 Regulatory Plan as 542-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: R.G.L. Oliphant, Director, Operations and Harbour Master, Vancouver Port Corporation, 1900-200 Granville Street, Vancouver, British Columbia, V6C 2P9. Tel. (604) 666-6229

TC-17

Canada Ports Corporation Act Harbour Dues By-laws

Harbour dues by-laws made pursuant to the Canada Ports Corporation Act (C.R.C. 1978, c. 1063, SOR/84-428, SOR/85-107, SOR/84-416, SOR/87-174, SOR/85-988 and C.R.C. 1978, c. 1082 as amended) impose a toll on vessels coming into the harbours under the administration or jurisdiction of Canada Ports Corporation at Belledune, Baie des Ha! Ha!, Chicoutimi, Sept-Iles, Trois-Rivières, Port Colborne, Prescott and Churchill and the harbours under the administration or jurisdiction of Halifax, Montreal, Port of Quebec, Prince Rupert, Saint John, St. John's and Vancouver Port corporations.

These tolls are reviewed annually and may be revised to reflect inflation.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 543-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

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D.F. Bellefontaine, General Manager and Chief Executive Officer, Halifax Port Corporation, Ocean Terminals, Halifax, Nova Scotia, B3J 2P6. Tel. (902) 426-3643

D.J. Taddeo, General Manager and Chief Executive Officer, Montreal Port Corporation, Port of Montreal Building, Cité du Havre, Wing No. 1, Montreal, Quebec, H3C 3R5. Tel. (514) 283-7042

R. Gaudreault, President and Chief Executive Officer, Port of Quebec Corporation, 150 Dalhousie Street, Quebec, Quebec, G1K 4C4. Tel. (418) 648-3558

T. Andrew, General Manager and Chief Executive Officer, Prince Rupert Port Corporation, 110-3rd Avenue West, Prince Rupert, British Columbia, V8J 1K8. Tel. (604) 627-7545

K.R. Krauter, General Manager and Chief Executive Officer, Saint John Port Corporation, 133 Prince William Street, Saint John, New Brunswick, E2L 2B5. Tel. (506) 648-4869

D.J. Fox, General Manager and Chief Executive Officer, St. John's Port Corporation, 3 Water Street, St. John's, Newfoundland, A1C 5X8. Tel. (709) 772-4582

R. Kimpton, Director, Legal Services, Vancouver Port Corporation, 1900-200 Granville Street, Vancouver, British Columbia, V6C 2P9. Tel. (604) 666-2821

Airports Authority Group

TC-18

Airport Vehicle Parking Charges Regulations: Fee Changes

The Airport Vehicle Parking Charges Regulations prescribe the fees to be charged for public vehicle parking at certain Transport Canada airports. Amendments will be proposed on an annual basis (September) in order to implement charges, to adjust existing charges to conditions at specific locations or to adjust rates to changes in government policy.

Added costs to users of parking spaces may be anticipated at certain airports. The fees would be structured to compare to those currently charged at similar parking facilities in the area served by the airport.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 544-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: A. Bjermeland, Product Analyst, Parking, Ground Transportation and Parking Branch, Commercial Development and Marketing Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-3687

TC-19

Airport Ground Transportation Fees Regulations

The Airport Ground Transportation Fees Regulations prescribe the fees to be charged for the privilege of providing ground transportation service for various airports. The last amendment was published in the *Canada Gazette*, Part II on 10 April 1991.

Amendments could introduce or change fees charged to ground transportation operators. These amendments will result in the recovery of a greater proportion of costs incurred by the department in providing ground transportation facilities at airports.

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 545-TC.

Expected Date of Publication: Throughout 1992

Contact: C. Cochrane, Product Analyst, Ground Transportation, Ground Transportation and Parking Branch, Commercial Development and Marketing Directorate,

Transport Canada, Ottawa, Ontario, K1A 0N8.
Tel. (613) 993-0617

TC-20

Government Airport Concession Operations Regulations

The Government Airport Concession Operations Regulations (GACORs) express how Transport Canada manages certain groundside activities at airports. As part of this management function, the GACORs also set out the general rules for the operation of commercial vehicles at airports. The Regulations provide a maximum fine of $400 for any violation.

Recent court cases have considered these Regulations too vague, in that they fail to provide a clear statement of how the department is to manage and control commercial activities at airports. This lack of a clear current expression of the department's responsibilities and authority makes it difficult to manage airports effectively and efficiently in a commercial manner and to ensure a satisfactory level of service to the travelling public.

Revision to the GACORs is designed to correct this lack of clarity by providing authority for, and expressing departmental policy regarding, commercial activities on airports. It will enable the department to control more effectively and fairly the commercial activities taking place at its airports. It will provide management with the means to determine who may operate at the airport and how they operate, and will include provision for penalties to be imposed for non-performance or unacceptable activities.

This initiative appeared in the 1991 Regulatory Plan as 546-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Major, Manager, Ground Transportation and Parking Branch, Commercial Development and Marketing Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-3690

TC-21

Airport Traffic Regulations

This amendment is being undertaken concurrent with the development of the Airport Operations Regulations.

The current Airport Traffic Regulations deal with both airside and groundside activities. The new Airport Operations Regulations will deal exclusively with airside activities, including those areas presently covered by the Airport Traffic Regulations. As a result, the Airport Traffic Regulations have to be amended to remove all sections dealing with airside activities, while retaining and revising the sections dealing with groundside activities that are still required.

Transport Canada will undertake consultations with interested parties.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: J.R. Fournier, Airfield Operations Analyst, Airports Operational Requirement Branch, Safety and Technical Services Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-3743

TC-22

Airport Operations Regulations

Regulations are being developed to establish the rules and procedures for the safe operation and parking of vehicles and equipment, the testing and issue of a vehicle operating permits, the parking of aircraft, and for the movement of pedestrians on the airside of airports, not covered by the Air Regulations, but for which the airport manager/operator is responsible.

The Canadian Aviation Safety Board (CASB), in its report on a special investigation into the risk of collision involving aircraft on or near the ground at Canadian Civil Airports (CASB 87:31, August 1987) recommended that the Department of Transport implement strengthened national standards for airport traffic directives as quickly as possible; ensure that airport managers have the requisite authority to enforce national airport directives; and require that all airports certified by, but not owned and operated by Transport Canada, effectively meet the strengthened national standards for airport traffic directives.

Further to this, it was also recommended (CASB 87:31, August 1987), that the department accelerate implementation of its standard Airside Vehicle Operators Permit (AVOP) system at Transport Canada owned and operated aerodromes; and require that an equivalent process for AVOP training and certification be implemented at non-Transport Canada owned and operated airports.

The proposed Regulations would meet the CASB recommendations, and would incorporate pedestrian- and vehicle-safety provisions previously expressed in Transport Canada Airports Group policy.

Transport Canada will undertake consultations with interested parties.

This initiative appeared in the 1991 Regulatory Plan as 548-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: J.R. Fournier, Airfield Operations Analyst, Airports Operational Requirement Branch, Safety and Technical Services Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-3743

TC-23

Airport Personal Property Disposal Regulations

Effective 31 October 1990, Transport Canada ceased to be responsible for collecting, holding and disposing of personal property left behind at passenger pre-board screening points, but continues to be responsible for lost-and-found goods. This creates two categories of personal property that people could lose at an airport: namely lost and left behind. This amendment will recognize the distinction.

The amendment also updates some of the definitions and clarifies certain sections of the Regulations.

Transport Canada will undertake consultations with interested parties.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Fournier, Airfield Operations Analyst, Airports Operational Requirement Branch, Safety and Technical Services Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-3743

Aviation Group

TC-24

Improved Flammability Standards for Materials Used in the Interiors of Large Aeroplanes – Air Navigation Order, Series II, No. 32

Current requirements have proven inadequate in in-flight cabin fires. It is proposed to promulgate an Air Navigation Order requiring large aeroplanes to be equipped with interior materials which meet upgraded flammability standards.

The proposed order will improve safety. There will be new costs associated with the manufacture of new aircraft, but it is not possible to be specific about costs at this time because of the wide variety of aircraft affected. These requirements will be accepted and applied by other countries including the United States.

This initiative appeared in the 1991 Regulatory Plan as 549-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-25

Flight Simulators – Air Regulations, Sections, 101, 412 and 413

This amendment will allow the publication of a flight simulator manual and will permit the use of synthetic flight trainers in order to meet the requirements for the issue of a licence or rating.

This amendment will increase aviation safety and reduce the cost of training by allowing operators to use a simulator in place of an aeroplane or helicopter for gaining flight experience.

This initiative appeared in the 1991 Regulatory Plan as 554-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-26

Transponder and Automatic Pressure Altitude Reporting Equipment – Air Navigation Order, Series II, No. 10

The proposed amendment will increase the amount of controlled airspace in Canada where aircraft must be equipped with automatic pressure-altitude-reporting equipment responding to Mode C interrogation by adding airspace surrounding Calgary, Edmonton, Winnipeg and Montreal.

Air traffic safety will be enhanced by reducing controller workload and providing controllers with more information for effective traffic separation. This will reduce frequency congestion at the affected airports.

This initiative was published in the *Canada Gazette*, Part I on 16 February 1991.

This initiative appeared in the 1991 Regulatory Plan as 557-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-27

Personnel Licensing – Air Regulations, Series IV

No. 1 – Flight Crew Licensing; No. 2 – Air Traffic Controller Licensing; No. 3 – Aircraft Maintenance Engineer Licensing; No. 4 – Medical Fitness; No. 6 – Flight Crew Licensing Permits and Licences; No. 7 – Flight Crew Licensing Ratings; No. 8 – Charges for the Licensing of Personnel Members. These Regulations form part of the review and revision of aeronautics legislation currently being carried out by the department. They will prescribe the requirements for the licensing of aviation personnel and set out the privileges of the various permits, licences and ratings. They will also prescribe the medical fitness requirements for the issue of licence validation certificates to holders of and applicants for flight crew and air traffic controller licences.

The anticipated impact of these Regulations on the Canadian economy as a whole is minimal as they code existing regulatory provisions. The aeronautics industry – the main sector of the economy that will be affected – has been extensively consulted on this initiative and, in particular, on all proposed changes.

This initiative appeared in the 1991 Regulatory Plan as 560-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-28

Floor Proximity Escape Path Marking – Air Navigation Order, Series II, No. 29

This Order will be amended to state clearly that it applies only to Canadian aircraft, since other countries impose their own requirements in these areas. In addition, amendments will be made exempting certain cargo flights from the provisions of the Order.

These amendments will have a positive effect on the commercial aviation sector since it has been found impossible or impractical to apply these provisions to cargo operations, resulting in the need to issue exemptions in this area.

This initiative was published in the *Canada Gazette*, Part I on 3 August 1991.

This initiative appeared in the 1991 Regulatory Plan as 561-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-29

Aerodromes – Air Regulations, Series III

No. 1 – Aerodromes; No. 2 – Airports. These Regulations form part of the review and revision of aeronautics legislation currently being carried out by the department. They will consolidate, update and augment existing Regulations in order to reflect advances in technology and experience with respect to the certification, operation, physical characteristics, marking and lighting of facilities used for the take-off and landing of aircraft.

The anticipated impact of these Regulations is improved safety.

No. 1 – Aerodromes was published in the *Canada Gazette*, Part I on 24 August 1991.

It appeared in the 1991 Regulatory Plan as 562-TC.

Expected Date of Publication: No. 2, Second Quarter, 1992, *Canada Gazette*, Part I; No. 1 and No. 2, Third Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-30

Aircraft Operating – Air Regulations, Series VI

No. 1 – Interpretation and Application; No. 2 – Airspace Structure and Classification; No. 3 – Aircraft Requirements; No. 4 – Pre-Flight Inspections; No. 5 – Aviation Facilities and Services; No. 6 – Operational Flight Planning; No. 7 – Flight Plan Filing; No. 8 – Transportation of Passengers: Private Aeroplanes; No. 16 – General Flight Rules; No. 17 – Towing; No. 18 – Aerobatic Manoeuvres; No. 19 – Special Aviation Events; No. 20 – Sport Aviation; No. 21 – Operation on or in the Vicinity of an Aerodrome; No. 22 – Emergencies; No. 23 – Signals and Markings; No. 24 – Aircraft Lights; No. 25 – Marshalling Signals; No. 26 – ADIZ; No. 27 – SCATANA Rules; No. 28 – General Aeronautical Communications; No. 29 – Use of Equipment; No. 31 – Aircraft Speed Limit; No. 32 – Altimeter Setting and Operating Procedures; No. 33 – Sonic and Supersonic Flight; No. 34 – Special Purpose Operation; No. 35 – Aircraft Operation on Water; No. 36 – Cruising Altitude; No. 37 – General Visual Flight Rules (VFR); No. 38 – Special VFR Flight; No. 39 – VFR Procedures at Designated Airports; No. 42 – VFR Communications; No. 43 – Controlled VFR; No. 44 – General Instrument Flight Rules (IFR); No. 45 – IFR Communication; No. 46 – Speed Adjustment – Radar Vectors; No. 47 – Altitudes and Obstacle Clearance; No. 48 – IFR – Position Reports; No. 49 – IFR Separation: Non-radar; No. 50 – Instrument Approach Procedures and IFR Minima; No. 51 – Flight Plan Closing; No. 52 – ELT Checks; No. 53 – Reports or Log Entries; No. 54 – Securing of Aircraft; No. 55 – Overdue Aircraft. These Regulations are part of the review and revision of the aeronautics legislation currently being carried out by the department. They consolidate various Regulations, Orders and departmental policies and practices that govern an individual's conduct while operating an aircraft.

No substantial impact is anticipated since most of the requirements of the proposed Regulations are already in effect.

This initiative appeared in the 1991 Regulatory Plan as 563-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-31

Commercial Air Operations – Air Regulations, Series VII

No. 1 – Interpretation and Application; No. 2 – Large Aeroplanes; No. 3 – Small Aeroplanes; No. 4 – Specialty Operations; No. 5 – Flight Training Units; No. 6 – Rotorcraft; No. 7 – Flight Operations; No. 8 – Aircraft Maintenance; No. 9 – Certification. These Regulations form part of the review and revision of the aeronautics legislation currently being carried out by the department. They consolidate existing Regulations, Orders and departmental policies relating to the certification and operation of commercial air services.

No substantial impact is anticipated, since most of the requirements of the proposed Regulations are already in effect.

This initiative appeared in the 1991 Regulatory Plan as 564-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-32

Flight Data Recorder – Air Navigation Order, Series II, No. 13

This Order will be amended to reflect advancements in technology and current practices in aviation by extending the present requirement for a flight data recorder to include state aircraft and rotorcraft, and by increasing the number of parameters that are to be recorded.

These amendments will improve safety investigations. There will be new costs imposed on operators of aircraft that do not presently carry the required equipment. These costs will vary depending on the equipment and the type of aircraft. The required regulatory impact analysis statement, however, will address the questions of both equipment and installation.

This initiative appeared in the 1991 Regulatory Plan as 565-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-33

Cockpit Voice Recorder – Air Navigation Order, Series II, No. 14

This Order will be amended to extend the present requirements for cockpit voice recorders to categories of aircraft not currently covered by the Order, notably state aircraft and rotorcraft. It will also specify what a cockpit voice recorder will be expected to record.

These amendments will improve safety investigations. There will be new costs imposed on operators of aircraft that do not presently carry the required equipment. These costs will vary depending on the equipment and type of aircraft. The required regulatory impact analysis statement, however, will address the questions of both equipment and installation.

This initiative appeared in the 1991 Regulatory Plan as 565-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-34

Landplanes – Air Regulations (Section 539)

This amendment will make it clear that a landplane includes a helicopter equipped with emergency floats so that such helicopters will not be treated as seaplanes with respect to over-water flights.

This amendment will clarify the law.

This initiative was published in the *Canada Gazette*, Part I on 28 October 1989.

It appeared in the 1991 Regulatory Plan as 566-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-35

Runway Visual Range – Air Regulations (Section 555)

This amendment will simplify the formula for determining the minimum visibility required for take-off and landing, and it will incorporate the standards found in the Manual of All Weather Operations (categories II and III).

This is a housekeeping amendment and will clarify the applicable provisions. No increased costs will be associated with this amendment.

This initiative appeared in the 1990 Regulatory Plan as 545-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-36

ACAS/TCAS Exemption – Air Regulations (Section 506)

This amendment will allow pilots to deviate from an air traffic control (ATC) clearance or instruction in order to respond to a resolution advisory (RA) provided by Airborne Collision Avoidance Systems (ACAS) or Traffic Alert and Collision Avoidance Systems (TCAS).

The amendment will allow pilots to take advantage of the ACAS/TCAS technology without being in violation of the provisions of the Air Regulations.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-37

Bilingual Flight Announcements – Air Navigation Orders, Series VII, Nos. 2, 3 and 6

These Orders will be amended to require that air carriers establish procedures to ensure that all passengers on board an aircraft are provided with a standard oral safety briefing by a crew member, or by means of a pre-recorded audio tape or with an audio-visual safety briefing. The briefing is to be provided in both official languages in specific circumstances in accordance with the Official Languages Act.

These amendments will enhance aviation safety. Passengers who have increased safety knowledge are more likely to react positively during an emergency.

There will be some additional costs involved in equipping aircraft with public address systems and training personnel to enable them to provide the required briefings.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-38

Aircraft Seats, Safety Belts and Safety Harnesses – Air Navigation Order, Series II, No. 2

This amendment will replace the current Order. The amendment will set out more extensive seat and individual safety belt equipment requirements, including shoulder harnesses, for flight crew and flight attendant seats. The amendment will also introduce the concept of a child-restraint system for securing an infant.

The new Order will improve the level of aviation safety for those persons required to use the shoulder harness installations and effect an overall increase in safety within the passenger cabin.

While there will be major costs for structural modifications, the proposed requirements have been the existing manufacturing standards for years.

This initiative appeared in the 1990 Regulatory Plan as 543-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-39

Carry-on Baggage – Air Navigation Order, Series VII, No. 4

This amendment will replace the current Order. The main purpose of the amendment is to place the responsibility for enforcing carry-on baggage restrictions on the air carrier. The new Order will also set out, in detailed form, the number of pieces of carry-on baggage to which each passenger is entitled, their size, and where they are to be stowed. Provisions will be made for personal mobility aids, child-restraint systems and other exceptional articles.

This amendment will enhance aviation safety by providing for secure stowage of loose articles in the passenger cabin. This amendment will implement recommendations of the Commission of Inquiry into the Air Ontario Crash at Dryden, Ontario.

The costs to the industry, resulting from this amendment, are expected to be minimal.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-40

Additional Bank and Pitch Indicator – Air Navigation Order, Series II, No. 18

The purpose of this amendment is to broaden the scope of an exemption from the requirements of the Night Flying Equipment Order (ANO Series II, No. 6) and the IFR Flight Instruments and Equipment Order (ANO Series V, No. 22), which is contained in this Order. The amendment permits a greater number of aircraft to take advantage of this exemption.

This is a housekeeping amendment. The only impact will be a reduction in the volume of requests for exemptions to these Orders.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: F. Meloche, A/Superintendent, Co-ordination and Control, Aeronautical Legislation and Regulations Branch, Aviation Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N8. Tel. (613) 990-1204

TC-41

Airport Zoning Regulations

These Regulations or amendments address problems of radio interference; limit the height of buildings, structures and objects, including objects of natural growth; and prohibit waste disposal sites on lands adjacent to or in the vicinity of the airports. Initiatives are planned for the following locations:

Aklavik, Bathurst, Carp, Charlottetown, Chatham (N.B.), Churchill, Coppermine, Coral Harbour, Cornwall, Cranbrook, Creston, Dauphin, Edmonton International, Edmonton Municipal, Flin Flon, Fort Frances, Fort Liard, Fort McPherson, Fort Norman, Fort Resolution, Gillam, Gjoa Haven, Gore Bay, Grand Manan, Halifax International, Hall Beach, Hamilton, Holman, Igloolik, Kenora, Kindersley, Kingston, Langley, La Ronge, Nanaimo, North Battleford, Pembroke, Penticton, Peterborough, Pickering, Port Hardy, Prince Albert, Prince George, Rankin Inlet, Red Lake, Repulse Bay, Sacks Harbour, Saint Anthony, Saint Leonard, Sarnia, Saskatoon, Sioux Lookout, Spence Bay, Stratford, Swift Current, Terrace, The Pas, Thunder Bay, Toronto/Buttonville, Toronto Pearson, Vernon, Victoria, Waterloo-Guelph, Weyburn, Whale Cove, Wiarton, Windsor, Wrigley, Yarmouth and Yorkton.

These Regulations or amendments only affect those landlords who hold property adjacent to or in the immediate vicinity of the airports and have no impact on the general society or the economy. The impact will be increased safety for aircraft manoeuvring in the vicinity of the airport.

This initiative appeared in the 1991 Regulatory Plan as 567-TC.

Expected Date of Publication: Throughout 1992

Contact: M.G. Redmond, Senior Law Clerk, Legal Services, Transport Canada, Ottawa, Ontario, K1A 0N5.
Tel. (613) 990-5794

Marine Group

Canadian Coast Guard

TC-42

Collision Regulations

This amendment will include a change to Rule 45 expanding the display of a blue flashing light for the purpose of federal law enforcement. Also included will be changes to Rule 46 clarifying, as requested by industry, the requirement for the carriage of alternate navigation lights.

There will be no adverse effects arising from these changes. This amendment will address concerns raised by other government departments and private industry.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D.G. Jenkins, Senior Surveyor, Operational Standards, Ship Operations Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-3137

TC-43

Navigating Appliances and Equipment Regulations

Technical standards concerning navigating appliances and equipment are currently presented in a separate departmental publication. This amendment will incorporate these technical standards directly into the Regulations, and schedule the truly technical standards material to the Regulations by reference. This initiative is in response to concerns from the Standing Joint Committee for the Scrutiny of Regulations in relation to the way the present Regulations deal with the standards.

Consistent with the process of simplifying and consolidating Regulations, the Steering Appliances and Equipment Regulations will be revoked and the provisions related to equipment will be incorporated as an amendment to these Regulations.

This amendment also updates the provisions concerning manoeuvring data and requires ships to fit navigational radars capable of operating in the 9-GHz frequency band in light of recent international developments.

The transfer of existing standards and relevant steering equipment provisions into the Regulations and the updating of manoeuvring data will have no economic or social impact. Cost of fitting the 9-GHz radar will be minimal to the public sector since the majority of existing vessels are already fitted with this equipment.

This initiative appeared in the 1991 Regulatory Plan as 570-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: F.H. Wade, Senior Surveyor, Equipment and Standards, Navigation Safety, Ship Operations Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-3136

TC-44

Small Fishing Vessel Inspection Regulations – Anti-Exposure Work Suit

This amendment removes the requirements for life jackets and requires instead that an anti-exposure work suit be carried for each crew member on board both inspected and uninspected, small fishing vessels. The suit is flexible and does not interfere with the fisherman's duties. The working suit also provides flotation equivalent to that of a personal flotation device and insulation against the cold. The suit is designed to increase survival time in extreme cold-water conditions and should, therefore, be effective in preventing deaths related to hypothermia or drowning.

This amendment responds to the findings and Recommendation No. 10 of the report into the sinking of the *Stanley Clipper* in Lake Erie which resulted in three fatalities. As well, it responds to the increasing incidence of casualties involving small fishing vessels where the use of a work suit would have been effective in preventing loss of life.

The work suits are expected to have an average retail price of $250. Because of the seasonal nature of certain sections of the fishing industry, it is difficult to estimate exactly how long a work suit will last, i.e., some suits will be used only for a few weeks and others will be used throughout the year. Nevertheless, the work suit is durable and is expected to have life span of approximately three years. The work suit also includes a repair kit for minor tears and cuts.

Currently, fishermen wear oil skins (rain gear) which cost approximately $85 and, subject to variances in use, are replaced, on average, each year. Since the rain gear would no longer be required, the future replacement cost of the rain gear will partially offset the cost of the work suit. In addition, fishermen will no longer be required by regulation to purchase a life jacket which retails for about $100 and lasts up to 10 years.

Marine investigations over the past 10 years indicate that 35 lives per year are lost in the large and small fishing industry. Use of work suits could prevent approximately 10 deaths per year in the small fishing industry.

This initiative appeared in the 1990 Regulatory Plan as 566-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Brock, Senior Marine Surveyor, Equipment and Operational Safety Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-3121

TC-45

Manning Regulations

These Regulations are required as a result of amendments to the Canada Shipping Act. In concert with the revision of the Certification Regulations, all four current Regulations dealing with the manning of ships and the carriage of these certificated persons are to be revoked and their provisions consolidated in the Ship Manning Regulations. These Regulations will also address concerns raised by the Standing Joint Committee for the Scrutiny of Regulations.

As these sections are almost wholly a consolidation of existing provisions, there will be no significant social impact or economic cost.

This initiative appeared in the 1991 Regulatory Plan as 575-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. Daniels, Chief, Marine Crews and Training Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-3117

TC-46

Certification Regulations

These Regulations are required as a result of amendments to the Canada Shipping Act. They will also implement the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978. All current Regulations dealing with qualifications for ships' personnel are to be revoked and their provisions amended to reflect the above Convention. Existing Regulations will be consolidated into these Certification Regulations.

As these sections are largely a consolidation of existing Regulations, changes are limited to those provisions which implement the Convention and which are not presently a feature of the Canadian crew certification system. This regulatory initiative is designed to increase the safety of ship operations by improving the qualifications and proficiency of key crew members. The total estimated cost to government and industry of these additional measures is $23.5 million over a five-year period or approximately $4.7 million annually.

This initiative appeared in the 1991 Regulatory Plan as 576-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. Daniels, Chief, Marine Crews and Training Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-3117

TC-47

Medical Examination of Seafarers Regulations

These Regulations are a revision of existing Regulations, updated to reflect obligations respecting the medical examinations associated with the issue of qualifications for masters, mates, engineers and ratings qualifications under the Convention on Standards of Certification, Training and Watchkeeping, 1978 (STCW), and maintaining obligations under the International Labour Organization's Convention No. 73. The medical examination standards associated with these Regulations have also been revised to reflect current legislation with regards to industrial circumstances and rights.

The annual cost to seafarers will vary between an estimated $20 and $60, depending on their age. Ultimately, it is expected that some 35 000 persons will become subject to these Regulations. Administrative costs to the department are estimated as $190 000 annually.

This initiative appeared in the 1991 Regulatory Plan as 574-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. Daniels, Chief, Marine Crews and Training Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-3117

TC-48

Noxious Liquid Substances Regulations

To protect the marine environment from pollution which originates from operational and accidental discharges of noxious liquid substances carried in bulk by ships, the International Maritime Organization established the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78). Following accession to this convention, Canada must enact these Regulations in order to give effect to Annex II of MARPOL 73/78 (Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk), which is one of the two mandatory annexes of the convention. Regardless of whether or not Canada accedes to the convention, most ships trading internationally are now obliged to comply with MARPOL 73/78 as a condition of entry to foreign ports.

The total cost of implementing these Regulations is expected to be $500 000 over a 10-year period and will be borne mainly by shipowners and terminal operators. Annex II of MARPOL 73/78 has been in force internationally since 6 April 1987, and most Canadian foreign-going chemical tankers have already been equipped and inspected to MARPOL 73/78 standards. Moreover, the costs associated with Annex II of MARPOL 73/78 should already be reflected in world-wide freight rate charges. Hence the Canadian consumer should not see any increase in prices as a result of implementing these provisions.

It is possible that additional reception facilities will be needed for cargo residues from chemical tankers. A study was commissioned to determine adequacy of these facilities and, where required, the cost of additional facilities will be borne by port and terminal operators. Recovery of these costs through increased port charges for ships is likely.

Social benefits will accrue, both nationally and internationally, in a cleaner marine environment and in improved recreational amenities, for both health and aesthetics.

All elements of the shipping industry have been consulted over the past several years on the proposed introduction of these Regulations.

This initiative appeared in the 1991 Regulatory Plan as 584-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Strain, Senior Surveyor, Pollution Prevention Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-3169

TC-49

Pollutant Discharge Reporting Regulations

The Pollutant Discharge Reporting Regulations require the reporting of all pollution incidents involving Canadian and foreign vessels in Canadian waters or fishing zones, and Canadian vessels in international waters. The Regulations will also describe the manner of making such reports.

These Regulations will make reporting incidents involving noxious liquid substances necessary. This amendment follows the introduction of the Noxious Liquid Substances Regulations.

No significant social or economic impact is expected.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Strain, Senior Surveyor, Pollution Prevention Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-3169

TC-50

Tonnage Measurement of Ships

Before registration in Canada, a ship must be measured to ascertain its tonnage. The present method of measuring a ship for tonnage was contained in the previous Canada Shipping Act, sections 94 to 99 and Schedule I. The amended Canada Shipping Act repeals sections 94 to 99 and empowers the Governor in Council to make Regulations with respect to determining the dimensions and tonnage of ships to be registered under the Act.

The Regulation will enable Canadian shipowners engaged in international trade to comply with the tonnage measurement requirements of states that have adopted the 1969 convention, and with the provisions of the Canada Shipping Act.

This initiative appeared in the 1991 Regulatory Plan as 577-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: P.J. Ady, Superintendent, Ship Registration and Tonnage Measurement, Ship Operations Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 998-0624

TC-51

Boating Restriction Regulations

These routine amendments, including some housekeeping measures, are made to improve the safety of boating activities. Requests for amendments to schedules for the restriction of boating on specified waters are submitted by participating provinces on a semi-annual basis.

These amendments will improve the safety of navigation on designated waters. There will be no cost to the federal government and a minor cost to the provinces or municipalities requesting the restrictions (cost of erecting signs, police enforcement).

This is a recurring initiative and appeared in the 1991 Regulatory Plan as 579-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: S.J.W. Stewart, Superintendent, Equipment and Operations, Ship Operations Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 998-0664

TC-52

Safety Convention Ship Certificate Regulations

These Regulations will be amended to prescribe a new format for Ship Inspection Certificates for ships required to meet the terms of the 1974 Safety of Life at Sea (SOLAS) Convention and its 1978 protocol and amendments, all of which are now in force internationally.

The impact is simply a change in format for the new certificates. The minimal costs involved for the new forms will be borne by the government.

This initiative appeared in the 1991 Regulatory Plan as 571-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: S.J.W. Stewart, Superintendent, Equipment and Operations, Ship Operations Branch, Ship Safety, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 998-0664

TC-53

St. Lawrence Waterway Marine Traffic Regulations

These Regulations are being revoked. The introduction of the Vessel Traffic Services Zones Regulations, which are now in effect in the St. Lawrence waterway, has resulted in the St. Lawrence Waterway Traffic Regulations no longer being applied. Hence, the need for revocation.

Revocation of these Regulations will maintain regulatory consistency with recent amendments to the Canada Shipping Act and will improve marine safety by ensuring that a consistent requirement for ship reporting exists within all the local vessel traffic services zones of Canada. There will be no cost to the federal government.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: L. Barker, Chief, Vessel Traffic Services Branch, Marine Navigation Services, Coast Guard, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 990-3031

TC-54

Ship-Source Oil Pollution Fund Regulations – Levy

This amendment may be required to impose the levy on contributing oil for payments into the Ship-source Oil Pollution Fund pursuant to recommendations of the Public Review Panel on Tanker Safety and Spills Response Capability. The Coast Guard proposes that industry develop a mechanism to fund research, development and response initiatives as recommended by the Panel. If no satisfactory proposal is made, legislative initiatives to increase the levy and expand the structure and uses of the Ship-source Oil Pollution Fund Regulations will be brought forward. The amendment will prescribe the manner in which the levy (described in Section 716 of the Canada Shipping Act) shall be paid, including who will pay, types of oil subject to the levy and how the payment system will work.

The impact of this amendment will be high, as it will increase the cost of oil imported into Canada or shipped from any place in Canada.

This initiative appeared in the 1991 Regulatory Plan as 589-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: M. Berthiaume, Chief, Marine Legislation Branch, Coast Guard Northern, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 990-3100

TC-55

Arctic Shipping Pollution Prevention Regulations

The Coast Guard usually receives requests for minor extensions in the Arctic navigation season. It is anticipated that similar requests will be made this year.

Changes are planned for the structural requirements for ships and the entry-control system. Implementation of these changes should remove the necessity for such extensions in the future. Interim experimental extensions may be necessary for the collection of additional data for regulatory development.

This is a recurring initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: V.M. Santos-Pedro, Manager, Arctic Ship Safety Branch, Coast Guard Northern, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 991-6004

TC-56

Declaration of Public Harbour – Miramichi

The Public Harbours and Port Facilities Act provides for the declaration of public harbours by Order of the Governor in Council. It is intended to declare the harbour at Miramichi, New Brunswick, as a public harbour. The harbour of Miramichi will encompass and replace the existing public harbours of Newcastle and Chatham.

This initiative will have a minor impact on the users of the existing public harbours. The Public Harbours Regulations, which regulate vessel activity and impose harbour dues, already apply to the harbours to be declared as Miramichi Harbour.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: B. Fogarty, A/Director, Program Management Branch, Harbours and Ports Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 993-5792

TC-57

Government Wharves Regulations

Due to technological advances, amendments to the Government Wharves Regulations are required. The wording will be changed to make the Regulations more appropriate to current operational circumstances. The Regulations will be clearer and simpler for the users.

This initiative appeared in the 1991 Regulatory Plan as 594-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: B. Fogarty, A/Director, Program Management Branch, Harbours and Ports Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 993-5792

TC-58

Public Harbours Regulations

Due to technological advances, amendments to the Public Harbours Regulations are required. The wording will be changed to make the Regulations more appropriate to current operational circumstances. Amendments will be made to certain sections relating to dangerous goods at public harbours in order to increase security. The Regulations will be clearer and simpler for the users.

This initiative appeared in the 1991 Regulatory Plan as 595-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: B. Fogarty, A/Director, Program Management Branch, Harbours and Ports Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 993-5792

TC-59

Declaration of Public Harbours

The Public Harbours and Port Facilities Act requires the declaration of public harbours by Order of the Governor in Council. In order to appoint a harbour master at a designated public harbour, the harbour must first have been "declared" to be a public harbour. This process of declaring public harbours will be conducted in several phases. This phase proposes to declare approximately 85 public harbours. It is intended eventually to declare all such harbours that are administered by the Harbours and Ports Directorate.

The initiative is required for administrative purposes only, and only minor impact on port users is anticipated.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: B. Fogarty, A/Director, Program Management Branch, Harbours and Ports Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 993-5792

TC-60

Public Harbours Regulations – Designation

The Public Harbours and Port Facilities Act requires the designation by the Governor in Council of public harbours where harbour masters may be appointed. The Standing Joint Committee for the Scrutiny of Regulations has requested that this requirement be fulfilled. It is proposed that the Public Harbours Regulations be amended by adding a new schedule for the identification and designation of public harbours. This process of designating public harbours will be conducted in several phases. This phase proposes to designate approximately 85 public harbours.

This amendment is required for administrative purposes only, and only minor impact on port users is anticipated.

This initiative appeared in the 1991 Regulatory Plan as 596-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: B. Fogarty, A/Director, Program Management Branch, Harbours and Ports Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 993-5792

Harbour Commissions

TC-61

Thunder Bay Harbour Commission Operations By-law

Amendment of the by-law is required to reflect changes requested by the Standing Joint Committee for the Scrutiny of Regulations.

The changes will be minor revisions to existing provisions and the anticipated impact will be minimal.

This initiative appeared in the 1991 Regulatory Plan as 599-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Cook, General Manager, Thunder Bay Harbour Commission, P.O. Box 2266, Thunder Bay, Ontario, P7B 5E8. Tel. (807) 345-6400

TC-62

Thunder Bay Harbour Tariff By-law – 1992

The Thunder Bay Harbour Commission Tariff By-law is being amended to increase existing rates charged by the Thunder Bay Harbour Commission on goods landed from or shipped on-board vessels coming into or using the harbour of the Port of Thunder Bay, or transshipped by water within the harbour. The rates will be increased by four per cent to offset expected inflationary increases in costs of operation to the Thunder Bay Harbour Commission. The amendment is, therefore, consistent with the objective of the national ports policy as outlined in the Harbour Commissions Act - that a commission port is expected to be financially self-sufficient. The rates set out in this by-law are payable by the master or person in charge of the vessel or by the owners or agents of the vessel. Those affected by the amendment are the approximately 17 shipping companies carrying out commercial business in the Port of Thunder Bay. The amendment would become effective in 1993 and does not contain a sunset provision.

The impact on individual companies conducting business in the port will be negligible. The majority of users carry grain or other bulk commodities; their rate will increase by only $.0022/metric tonne. The average increase of all rates is only $.0078/metric tonne.

This initiative appeared in the 1991 Regulatory Plan as 613-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D. Johnson, Director of Operations/Harbour Master, Thunder Bay Harbour Commission, P.O. Box 2266, Thunder Bay, Ontario, P7B 5E8. Tel. (807) 345-6400

TC-63

Oshawa Harbour Commission By-laws – Tariff

Some changes in rates prescribed by these by-laws, such as top wharfage, side wharfage, harbour dues and marina charges, may be required to maintain the Harbour Commission's financial position and competitive status. When the 1991 financial position of the commission is clear at year-end, the commission will be in a position to determine whether any of the rates established by these by-laws will need to be changed.

The amount of any change would be influenced by the need for the port to remain competitive, by the opportunities for cross-subsidization from other revenue sources and by the need for the Harbour Commission to be financially self-sufficient. Any change in tariffs would affect only port users. There would be no impact on the general public.

This initiative appeared in the 1991 Regulatory Plan as 600-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1993, *Canada Gazette*, Part II

Contact: D. Taylor, Port Manager, Oshawa Harbour Commission, 1050 Farewell Street, Oshawa, Ontario, L1H 6N6. Tel. (416) 576-0400

TC-64

Port Alberni Harbour Commission By-laws

The Port Alberni Harbour Commission by-laws are being revised by the deletion of sections that are no longer applicable to current operational circumstances and by the redraft of other sections. The existing by-laws have not been changed since 1947. There will be no amendment to the tariff rates.

Impact is limited to users of the port. There will be no impact on the general public. The revised by-laws will provide improvements to controls in the existing by-laws.

This initiative appeared in the 1991 Regulatory Plan as 601-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D.G. Andow, Property Manager, Port Alberni Harbour Commission, P.O. Box 99, Port Alberni, British Columbia, V9Y 7M6. Tel. (604) 723-5312

TC-65

Windsor Harbour Cargo Rates and Harbour Dues By-law

Amendments to this by-law are required to increase tariff rates, in order to maintain an adequate level of cost recovery, to keep pace with inflation and to maintain the Harbour Commission's financial position. Amendments are also necessary to clarify certain sections in the by-law.

The last increase in these rates was in 1985. The proposed increase of six per cent reflects the port's need to remain competitive and to offset cost increases in one area by revenues from another. The proposed increase also reflects the need for the Harbour Commission to be financially self-sufficient. This by-law affects port users only and has no impact on the general public.

Cargo rates for railway cars carried on barges will be increased from $0.20 to $1.00 per car, in order to bring this rate in to line with other charges.

This initiative appeared in the 1991 Regulatory Plan as 604-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: D.S.H. Cree, General Manager, Windsor Harbour Commission, 500 Riverside Drive West, Windsor, Ontario, N9A 5K6. Tel. (519) 258-5741

TC-66

Windsor Harbour Wharf By-law – Tariff

Amendments to this by-law are required to increase tariff rates, in order to maintain an adequate level of cost recovery, to keep pace with inflation and to maintain the Harbour Commission's financial position. Amendments are also necessary to clarify certain sections in the by-law.

The last increase in these rates was in 1985. The proposed increase of six per cent reflects the port's need to remain competitive and to offset cost increases in one area by revenues from another. The proposed increase also reflects the need for the Harbour Commission to be financially self-sufficient. This by-law affects port users only and has no impact on the general public.

This initiative appeared in the 1991 Regulatory Plan as 605-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: D.S.H. Cree, General Manager, Windsor Harbour Commission, 500 Riverside Drive West, Windsor, Ontario, N9A 5K6. Tel. (519) 258-5741

TC-67

Windsor Harbour Wharf By-law

Amendments to this by-law are necessary to respond to concerns raised by the Standing Joint Committee for the Scrutiny of Regulations.

Minimal impact is expected.

This initiative appeared in the 1991 Regulatory Plan as 602-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D.S.H. Cree, General Manager, Windsor Harbour Commission, 500 Riverside Drive West, Windsor, Ontario, N9A 5K6. Tel. (519) 258-5741

TC-68

Windsor Harbour Commission General By-laws

Amendments to these by-laws are necessary to respond to concerns raised by the Standing Joint Committee for the Scrutiny of Regulations.

Minimal impact is expected.

This initiative appeared in the 1991 Regulatory Plan as 603-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D.S.H. Cree, General Manager, Windsor Harbour Commission, 500 Riverside Drive West, Windsor, Ontario, N9A 5K6. Tel. (519) 258-5741

TC-69

North Fraser Harbour Commission Operating By-law

The North Fraser Harbour Commission by-laws are being revised by deleting sections no longer applicable to current operational circumstances (e.g., reference to passage through bridges which no longer exist) and by redrafting other sections. The Harbour Commission proposes to separate its current by-laws into three distinct by-laws: administration, operating and tariff. This operating by-law regulates such activities within the harbour limits as movement of vessels, mooring of vessels, operation of swing span bridges and control of log booms. At the request of the Standing Joint Committee for the Scrutiny of Regulations, an amendment will be made to the penalty section of the by-law to ensure that the penalties reflect those in the Harbour Commissions Act.

The impact on Canadian society will be insignificant. The previous North Fraser Harbour Commission by-laws provided for similar controls, and the present by-law simply modernizes those controls pertaining to operations.

This initiative appeared in the 1991 Regulatory Plan as 606-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: G. Colquhoun, Port Manager, North Fraser Harbour Commission, 2020 Airport Road, Richmond, British Columbia, V7B 1C6. Tel. (604) 273-1866

TC-70

North Fraser Harbour Commission Tariff By-law

The North Fraser Harbour Commission Tariff By-law sets out the harbour entry and cargo rates, and prescribes the application of these rates. The North Fraser Harbour Commission has reviewed and revised the by-laws by deleting sections no longer applicable and by redrafting other sections. The harbour commission proposes to separate its current by-laws into three distinct by-laws: administrative, operating and tariff. The tariff of rates contained in this by-law are the same as those contained in the existing North Fraser Harbour Commission by-laws. It has minimal impact on Canadian society and no financial impact on port users.

This initiative appeared in the 1991 Regulatory Plan as 607-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: G. Colquhoun, Port Manager, North Fraser Harbour Commission, 2020 Airport Road, Richmond, British Columbia, V7B 1C6. Tel. (604) 273-1866

TC-71

Toronto Harbour Commissioners' Toronto Island Airport Regulation and Control By-law

The above by-law will regulate and control the landing of jets and aircraft generating excessive noise at Toronto Island Airport. The by-law is a requirement of a lease agreement between the Corporation of the City of Toronto, the Toronto Harbour Commissioners and the Department of Transport in accordance with the Toronto Harbour Commissioners' Act, 1985.

The controls are already in place. This initiative merely changes the enforcement method to fines under a by-law. The impact on the general public will be minimal.

This initiative appeared in the 1991 Regulatory Plan as 608-TC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: I.C.R. Brown, General Manager, The Toronto Harbour Commissioners, 60 Harbour Street, Toronto, Ontario, M5J 1B7. Tel. (416) 863-2028

TC-72

Toronto Harbour Commissioners' Mooring By-law – Berthing Areas

This initiative will institute controls that are required to improve accessibility of berthing areas to the public and to improve operational efficiency in crowded berthing areas. The proposed by-law will identify specific locations where pleasure craft and commercially operated boats may berth and locations where passenger discharge and pick-up is permitted. A time limit to prevent public space from being monopolized by particular vessels for lengthy periods will also be introduced.

There will be financial penalties for violators. The means of enforcement are currently under review but may involve fines and policing by a dock master.

This initiative appeared in the 1991 Regulatory Plan as 609-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: I.C.R. Brown, General Manager, The Toronto Harbour Commissioners, 60 Harbour Street, Toronto, Ontario, M5J 1B7. Tel. (416) 863-2028

TC-73

Fraser River Harbour Commission By-laws – Penalties

At the request of the Standing Joint Committee for the Scrutiny of Regulations, an amendment will be made to the penalties section of the Fraser River Harbour Commission by-laws. This amendment will ensure that the language and intent of the penalties section is consistent with Canadian law and format.

The impact on Canadian society will be minimal.

This initiative appeared in the 1991 Regulatory Plan as 611-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: R. Pearce, Port Manager, Fraser River Harbour Commission, 713 Columbia Street, Suite 505, New Westminster, British Columbia, V3M 1B2. Tel. (604) 524-6658

Pilotage Authorities

TC-74

Atlantic Pilotage Authority Regulations

The Atlantic Pilotage Authority proposes to make some additions to sections 14 and 16 of its Regulations pertaining to the qualifications of applicants for licences and pilotage certificates.

This initiative appeared in the 1991 Regulatory Plan as 614-TC.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

TC-75

Atlantic Pilotage Tariff Regulations

The Atlantic Pilotage Tariff Regulations (comprising the compulsory pilotage areas of New Brunswick, Newfoundland, Nova Scotia and Prince Edward Island and the non-compulsory pilotage areas of the Atlantic region excluding Newfoundland and Labrador) will be amended to reflect increased operating costs borne by the authority, i.e., mainly negotiated increases in labour costs and operations.

The proposed increase is 4.7 per cent and consultation through meetings and correspondence took place with interested parties, who have reserved their rights in respect of the proposed tariff. (Additional amendments may be deemed necessary during 1992).

This initiative was published in of the *Canada Gazette*, Part I on 3 August 1991.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

TC-76

Laurentian Pilotage Authority Regulations

Proposed amendments to these Regulations include a change in the compulsory pilotage area; changes in the composition of the Board of Examiners and method of examination for the licences and pilotage certificates; changes in the two pilot requirements for large vessels in District No. 1; and the exemption from compulsory pilotage for certain Canadian-registered vessels which make frequent transits in the area.

The proposed amendments will have a moderate economic impact on the shipping industry in terms of reducing the user cost of the pilotage services. The authority conducted hearings at which interested parties were given the opportunity to comment on the proposed amendments and to submit briefs.

Additional amendments may be deemed necessary during the course of the year.

This initiative appeared in the 1991 Regulatory Plan as 617-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

TC-77

Great Lakes Pilotage Regulations

A Federal Court of Canada decision, dated 8 May 1987, ruled part of the existing Great Lakes Pilotage Authority (GLPA) Regulations pertaining to compulsory pilotage to be *ultra vires* in that navigation safety is the only factor relevant to the establishment of compulsory pilotage areas. The GLPA has consulted various interested parties and, on the basis of the input received, published proposed amendments in the *Canada Gazette*, Part I on 14 May 1988. These proposed amendments were objected to by interested parties. The Minister of Transport appointed a person to investigate the proposed amendments and report to the Minister, following which, the Minister may, by Order, approve, amend or disapprove the proposed Regulations and the authority shall make the Regulations accordingly (Section 21 of the Pilotage Act). Additional amendments may be required during the year.

The amended Regulations will be consistent with the basic principles established with respect to pilotage on the opening of the seaway in 1959, i.e., safety of navigation and protection of the environment based on a safe and efficient pilotage service.

This initiative appeared in the 1991 Regulatory Plan as 618-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate,
Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

TC-78

Great Lakes Pilotage Tariff Regulations (1992)

The Great Lakes Pilotage Tariff Regulations, applicable in all districts, will be amended to reflect increased operating costs borne by the authority, i.e., mainly negotiated increases in labour contracts and inflationary costs. Percentage increases of these prospective amendments and their dates of publication will be contingent upon the timing and the results of the contract negotiating process, which varies from group to group of the employees of the authority.

Additional amendments may be required by the authority during 1992.

This is a recurring initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate,
Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

TC-79

General Pilotage Regulations

Amendments to Part I of these Regulations will be necessary in order to conform to the 1978 Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW). The convention will come into force on 6 February 1993. These amendments may, before 1993, affect applicants for pilot licences and pilotage certificates, depending upon an individual's qualifications and the timing of obtaining these qualifications.

This initiative appeared in the 1991 Regulatory Plan as 616-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate,
Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

TC-80

Pacific Pilotage Authority Regulations

The Pacific Pilotage Authority proposes to amend its Regulations to accommodate the requirements, pertaining to pilots, of the 1978 Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW) which will come into force on 6 February 1993.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate,
Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

TC-81

Pacific Pilotage Tariff Regulations

Amendments will reflect increased operating costs borne by the authority, i.e., mainly negotiated increases in labour contracts and inflationary costs. Percentage increases and their date of publication will be contingent upon the timing and the results of the contract negotiating process, which varies with the different groups involved. (Additional amendments may be required by the authority during 1992.)

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate,
Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

TC-82

Pacific Pilotage Contiguous Waters Regulations

The proposed Regulations refer to the terms and conditions under which a pilot, or other person, authorized by an appropriate authority of the United States, may, in Canadian waters in and around British Columbia which are contiguous to waters of the United States, pilot a ship of under 10 000 gross tons which would normally be subject to compulsory (Canadian) pilotage in these waters. These proposed Regulations will have no economic impact. The action essentially ensures the maintenance of navigation safety in Canadian waters when the relevant vessel is proceeding under waiver. (Additional amendments during 1992 may be deemed necessary by the Board of the Pacific Pilotage Authority.)

This initiative appeared in the 1991 Regulatory Plan as 619-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: N. McNeill, Chief, Marine Pilotage Directorate,
Transport Canada, Ottawa, Ontario, K1A 0N7.
Tel. (613) 998-0695

Surface Group

Railway Safety

TC-83

Safety Critical Positions

Investigation of railway accidents has indicated that railways must maintain acceptable programs capable of monitoring the physical and medical condition of employees engaged in occupations deemed critical to the safe operation of a railway.

Paragraph 18(1)(b) of the Railway Safety Act (RSA) authorizes the Governor in Council to make Regulations declaring specified positions in railway companies to be critical to safe railway operations. Section 35 of the RSA provides for procedures to monitor the condition of those employees.

The Railway Safety Directorate is developing Regulations that specify the positions considered to be critical to safe railway operations.

There will be an economic impact on the railway industry arising from increased medical costs. This will be offset by enhanced safety of railway operations.

This initiative appeared in the 1991 Regulatory Plan as 620-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: I.S. Naish, Chief, Policy, Regulations and Standards, Safety Programs Branch, Railway Safety Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5.
Tel. (613) 990-7745

TC-84

Minimum Setback Regulations

With the increasing number of residential, commercial and industrial subdivisions being built adjacent to existing railway rights of way and a failure of zoning authorities to establish buffer zones, there is an urgent need for federal action to protect public safety. Discussions will be initiated with provinces, municipalities and railways to establish minimum requirements for buffer zones beside existing railway rights of way and for new railway lines.

There would be significant additional cost to developers, railways and others. This would be offset by increased safety in the event of an accident and also by improved quality of living through reduced noise pollution and less trespassing.

This initiative appeared in the 1991 Regulatory Plan as 622-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

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Tel. (613) 990-7745

TC-85

Railway/Road Crossing Safety Regulations

The requirements for construction or alteration of new crossings and for the operation and maintenance of existing and new crossings will be established in new Regulations to be drafted pursuant to subsections 18(2) and 24(1) of the Railway Safety Act.

These Regulations will protect public safety by ensuring the safety of crossings. As well, the regulator will be able to order the removal from property outside railway rights of way of anything that obscures the required sight lines.

There will be some economic impact as a result of this Regulation primarily because of the conditions for upgrading existing crossings.

This initiative appeared in the 1991 Regulatory Plan as 623-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

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Road Safety and Motor Vehicle Regulations Directorate

TC-86

Motor Vehicle Safety Regulations, Standard 115: Vehicle Identification Number

Standard 115 requires that a vehicle identification number having a 17-digit format be affixed to every vehicle. An amendment to the standard will be published to correct irregularities in the standard, some of which have been raised by the Standing Joint Committee for the Scrutiny of Regulations. The amendment will also introduce a change to the standard which will permit the vehicle identification number to be printed on a tamper proof label to harmonize with a similar standard in the United States.

Also included in this amendment are changes to occupant restraint standards in response to observations made by the Standing Joint Committee for the Scrutiny of Regulations.

This amendment should not result in any costs to the industry and, in the case of permitting the use of a tamper proof label, there could be a cost saving. This amendment is unlikely to have any discernible effects on regional balance, technological progress, the environment, output and employment, or market structure and competition. The effects upon income distribution, energy consumption and international trade are expected to be slight. This amendment does not affect paper burden.

This initiative appeared in the 1991 Regulatory Plan as 625-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I

Contact: C. Morton, Head, Vehicle Regulations, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1958

TC-87

Motor Vehicle Safety Regulations, Standard 902: Importation of Used Vehicles

The Canada-United States Free Trade Agreement removes Canada's current trade embargo on used vehicles entering from the United States over a five-year period. The Motor Vehicle Safety Regulations currently place safety requirements on used vehicles four years old or older. On 1 January 1992 a further relaxation of the trade embargo on used vehicles becomes effective and the divergence between Canada and United States safety standards increases. Regulations will be amended to permit the importation of a two-year-old or older used vehicle, other than a bus, that was manufactured to United States federal safety standards which were comparable to Canadian safety standards with the exception that the odometer can be displayed in miles rather than kilometres.

The amendment will also require all used vehicles being imported from the United States to comply with unique Canadian-prescribed safety standards. The costs resulting from this amendment and the effects on income distribution, energy consumption and international trade have not been estimated.

A similar amendment, SOR/91-425, was published in 1991, setting out the safety requirements of a used vehicle four years old or older imported from the United States.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Morton, Head, Vehicle Regulations, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1958

TC-88

Motor Vehicle Safety Regulations, Standard 1101: Unleaded Fuel Label

This amendment would revoke, under Section 1101(5), the requirement for an unleaded-gasoline warning label to be located immediately adjacent to the gasoline tank filler inlet for light-duty trucks that are provided with an emission-control device that would be impaired by the use of leaded gasoline. The additional requirements under Section 1101(5) would remain unchanged.

This amendment would be consistent with the federal government's initiative to phase out leaded gasoline by 1 December 1990 under the Canadian Environmental Protection Act. It would have no discernible effects on the environment or safety, regional balance, employment, income distribution, energy consumption or paper burden.

This initiative appeared in the 1991 Regulatory Plan as 632-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: C. Morton, Head, Vehicle Regulations, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1958

TC-89

Motor Vehicle Safety Regulations, Standard 202: Head Restraints

This amendment will extend the requirements for head restraints to trucks, multi-purpose passenger vehicles and buses, all having a Gross Vehicle Weight Rating (GVWR) of less than 4536 kg.

Since most vehicles will be in compliance with a similar U.S. Regulation, this amendment will have a very slight economic cost to Canadians. There should be a small reduction in neck injuries resulting from this amendment. This amendment is unlikely to have any discernible effects on regional balance, technological progress and competition. The effects upon income distribution, energy consumption and international trade are expected to be slight. This amendment does not affect paper burden.

This initiative appeared in the 1991 Regulatory Plan as 626-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I

Contact: D.S. Van Dusen, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N7. Tel. (613) 998-1962

TC-90

Motor Vehicle Safety Regulations, Standard 108: Lighting Equipment

A swing-out stop sign will be required on school buses to provide a more positive signal that drivers must not pass when school buses are stopped to board or discharge passengers. A centre high-mounted stop lamp will be required on light-duty trucks, vans, small buses and recreational vehicles to reduce the risk of rear-end collisions. Reflective tape will be required on heavy trucks and trailers to reduce the risk of collisions in darkness. A turn signal visible from beside the vehicle will be required on heavy duty trucks, trailers and buses to clearly advise other drivers of intended lane changes and turns. Safety requirements for high-intensity arc discharge (HID) headlamps will be introduced to assure fast start-up, safe levels of infrared and ultraviolet radiation, satisfactory colour rendition and electrical safety. A flashing headlamp will be permitted to make motorcycles more visible in daytime.

The required locations of lamps and reflectors with respect to the edges of the vehicle will be more clearly defined to ensure that the vehicle is plainly visible in darkness. This will make the Regulations easier to interpret, particularly for small manufacturers. Air vents will be permitted on headlamps without replaceable bulbs to avoid moisture condensation problems. The headlamp humidity test will be changed to include a flow of air to simulate real driving.

Parts of this initiative will reduce the risk of road accidents caused by driver perception problems. The stop arm is expected to reduce the frequency of illegal passing of school buses by about half. The new HID headlamp tests will add up to $1.00 to the costs of vehicles fitted with them. The total cost of all the new mandatory equipment is estimated at $9 million annually. The costs of the other changes will be minimal.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I

Contact: J.G. White, Head, Crash Avoidance Engineering, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1965

TC-91

Motor Vehicle Safety Regulations, Standards 108 and 112: Lighting Harmonization

Changes are necessary to ensure consistency with several amendments to American Regulations that have removed design constraints on vehicle lighting equipment. These changes include optional on-board headlamp aiming; optional headlamp photometrics, revisions to the headlamp corrosion test, additional aiming-pad layouts on replaceable-bulb headlamps, new signal-lamp test points; an optional location for front identification lamps on the cab roof rather than on the truck body; and revisions to permit concealable headlamps to describe an outward arc when being raised into operating position. A limitation on motorcycle stop-lamp and turn-signal spacing would be removed. Daytime running-lamp requirements would be clarified in response to industry requests for interpretations. These amendments are planned to be effective upon registration and contain no sunset provision.

The optional on-board headlamp-aiming equipment is expected to result in fewer mis-aimed headlamps, with the consequent safety-advantages of improved visibility and reduced glare in night driving. The optional headlamp photometric requirements would facilitate new types of headlamps and would have no discernible effect on safety. The economic impact of the changes aligning the Canadian with the American Regulations is expected to be small or even positive because the changes either permit alternatives to existing headlamps or match current industry and regulatory practice in the United States. Leaving existing requirements unchanged would create a technical trade barrier and hinder the introduction of new technology that could benefit the public. The daytime running-lamp changes would not necessitate any changes to new vehicles, would render the requirements easier to interpret and would have no economic impact. None of the proposed changes are expected to have a discernable effect on regional economic balance, the environment, employment, income distribution, energy consumption or paper burden.

This initiative appeared in the 1991 Regulatory Plan as 629-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. White, Head, Crash Avoidance Engineering, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1965

TC-92

Motor Vehicle Safety Regulations, Standard 208: Seat Belt Installations

This amendment to the Regulations will require the installation of three-point (lap and shoulder) seat belts at the outboard rear-seating positions of all cars and other light passenger-carrying vehicles. At the moment, all of these vehicles are required to be equipped with two-point (lap) seat belts at the rear-seating positions. However, such belts do not provide as much protection in an accident as do three-point belts. Most manufacturers are already fitting the three-point type of belts and this trend is expected to continue. This regulatory initiative will ensure that all vehicles offer the same level of protection to occupants of rear-seating positions as well as greatly helping the enforcement of seat belt laws. Other changes to the seat belt requirements in this amendment include lap-shoulder belts for convertibles, better belt systems for large trucks and improvements in the comfort and convenience of belts.

It is estimated that the installation of three-point rear belts in all vehicles manufactured after the effective date of the Regulation would save approximately five lives and eliminate or reduce the effects of approximately 140 injuries per year. It is estimated that the cost per vehicle of complying with the requirement would be approximately $15. Costs resulting from the other aspects of the amendment will be minimal; possibly some cost reduction could result from the fact that improved harmony with U.S. requirements is a feature of this initiative. The better truck systems and the comfort and convenience requirements should increase belt-wearing rates to some degree. This amendment is unlikely to have any discernible effects on regional balance, technological progress, the environment, output and employment, or market structure and competition. The effects upon income distribution, energy consumption and international trade are expected to be slight. This amendment does not affect paper burden.

This initiative was published in *Canada Gazette*, Part I on 23 February 1991.

This initiative appeared in the 1991 Regulatory Plan as 627-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Baillot, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1963

TC-93

Motor Vehicle Safety Regulations, Standard 208.1: Seat Belt Installations, Alternate Crash Protection Criteria

This amendment would provide an alternative means of compliance for manufacturers who wish to use automatic restraint systems or other restraint technology that will not comply with the more design-restrictive provisions of Canadian Motor Vehicle Safety Standard (CMVSS) 210 anchorages. These criteria are intended to ensure such restraint systems provide equivalent or better protection than existing seat belts. The alternative would specify new injury criteria based on a 48-km-per-hour frontal barrier test. The criteria would include peak head acceleration, maximum chest deflection and femur loads as measured on a Hybrid III dummy.

The head acceleration and chest deflection criteria would be exclusive to Canada. However, since such data can be readily obtained from the Hybrid III test device, there should be no additional testing costs imposed on manufacturers. This amendment is intended to provide additional flexibility to manufacturers in choosing restraint system designs for use in Canada. It is assumed that manufacturers will choose the most cost-effective means of complying with Canadian restraint Regulations.

This initiative was published in *Canada Gazette*, Part I on 23 February 1991.

This initiative appeared in the 1991 Regulatory Plan as 628-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Baillot, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1963

TC-94

Motor Vehicle Safety Regulations, Standard 213.4: Built-in Child Restraints

A new safety standard will be introduced to establish requirements for child restraints or booster cushions which are built into the vehicle at the time of manufacture. Several companies have expressed an interest in marketing such a device and two have designs for such a product. The Regulation is necessary to allow the products to be sold and the lack of the Regulation could be considered as preventing the introduction of a safety device. These amendments are expected to be effective upon registration and contain no sunset provision.

Introduction of the new requirements will have a beneficial effect on safety as the design can be better tailored to vehicle characteristics. The devices will reduce misuse, which is considered to be the major problem associated with child restraints. By enabling the sale of the Canadian-made device, a small advance in technology will result and employment may be increased. This standard will have no discernible effect on regional balance, the environment, market structure, competition, income distribution, energy distribution or paper burden.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: M. Baillot, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1963

TC-95

Motor Vehicle Safety Regulations, Standard 301.2: CNG Fuel System Integrity

The fuel-system integrity standard for vehicles using natural gas as a fuel adopts by reference a pressure-vessel requirement and a Canadian Gas Association (CGA) standard. These documents are out-of-date; furthermore, the pressure-vessel requirement is inappropriate and is not sufficiently extensive for this application. The result is that the federal standard (301.2) does not require the level of safety that it should and is hindering technological development. An improved pressure-vessel standard, which will stipulate criteria for vessels using non-metallic materials, and a revised CGA standard will be adopted by reference in lieu of the currently referenced versions when they are available.

This amendment will not result in increased cost to manufacturers of natural-gas-fuelled vehicles because the new requirements will not introduce tests and practices that are not already used by industry. The amendment will, however, ensure that the fuel systems which it addresses offer a specific level of safety. It is not possible to predict the number of deaths and injuries that will be avoided by introducing this amendment because no accident data on which to base such predictions exist. The effects on income distribution, energy consumption and international trade should all be beneficial by virtue of the barrier to technological development being removed. The amendment does not affect paper burden.

This initiative appeared in the 1990 Regulatory Plan as 640-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I

Contact: M. Baillot, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1963

TC-96

Motor Vehicle Safety Regulations, Standards 101 and 123: Motor Vehicle Controls and Displays

This amendment would permit a minimum of two levels of brightness for dashboard lights which currently must be continuously variable. Tell-tale illumination could also vary, with the exception of headlamp upper beam, turn signal, seat-belt warning and brake-failure tell-tales which would continue to have only one level of brightness. The amendment would add the horn to those controls which must be identified by symbol, would specify how a common space may be used to display messages from many sources and would specify the international standard containing the required symbols for controls and displays on motorcycles.

This amendment would reduce the cost of controls and displays slightly by permitting the use of new technologies, while having no discernible effects on safety, regional balance, environment, employment, income distribution, energy consumption or paper burden.

This initiative was published in *Canada Gazette*, Part I on 18 May 1991.

This initiative appeared in the 1991 Regulatory Plan as 630-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: P. Lemay, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1967

TC-97

Motor Vehicle Safety Regulations, Standards 102 and 114: Transmission Shift Control and Locking Systems

To remove the risk of children setting parked vehicles in motion, the automatic-transmission shift levers of passenger cars, light trucks and vans will be required to be in Park before the ignition key can be removed and to be locked in Park upon key removal. Requirements for transmission and steering locks will be extended to light trucks and vans to provide the same level of protection already required on passenger cars.

Where automatic-transmission shift positions are displayed electronically, all of the gear positions will need to be shown and to remain illuminated whenever the ignition is on. This new display technology will preserve driving safety. The exemption of three-speed manual transmissions from the shift-pattern display requirement will be deleted as these transmissions are now rare and are therefore likely to create confusion, especially among younger drivers.

Devices that require the driver to apply the brakes before shifting an automatic transmission out of Park, and to depress the clutch pedal before the starter will operate, are being studied and may also be proposed. These devices would prevent accidents due to unintended acceleration.

These actions will reduce the risk of road accidents resulting from errors in vehicle-control operation caused by driver error and misuse by other occupants. A number of fatalities and injuries involving these problems have been reported over the past 15 years. Depending on the locking devices finally chosen, the total annual cost of vehicles not already equipped with the devices will increase by about $0.6 million to $15 million.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I

Contact: P. Lemay, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1967

TC-98

Motor Vehicle Safety Regulations, Standard 1101: Emission Control Label

This amendment would require, under Section 1101(4), that the emission labels for light-duty vehicles and light-duty trucks be in both official languages, either on one label or two separate labels. The information required on the bilingual label would remain the same.

This amendment would make the label requirements for light-duty vehicles and light-duty trucks consistent with the federal government's requirements under the Official Languages Act. It would permit the emission information, tune-up specifications and other pertinent information to be readily available to the public at large in both official languages. This would have a beneficial effect on the environment while having no discernible effects on regional balance, employment, income distribution, energy consumption or paper burden.

This initiative appeared in the 1991 Regulatory Plan as 631-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I

Contact: R.A. Rinaldi, Head, Regulatory Development, Energy and Emissions Engineering, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-2669

TC-99

Motor Vehicle Safety Regulations, Standard 1103: Exhaust Emissions

This amendment would require, under Section 1103, an increase in the stringency of the tailpipe emission standards for new, gasoline-fuelled passenger cars.

This amendment to set new emission requirements for light-duty vehicles is one component of the federal action plan to reduce emissions from internal engines and motor fuels, and is consistent with the federal government's efforts to protect and enhance the health of Canadians. The proposed standards will further reduce the allowable emission level of nitrogen oxides by 60 per cent and the effective level of hydrocarbons by 29 per cent.

This initiative appeared in the 1991 Regulatory Plan as 633-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I

Contact: R.A. Rinaldi, Head, Regulatory Development, Energy and Emissions Engineering, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-2669

TC-100

Motor Vehicle Safety Regulations, Standard 121: Air Brakes

Many large truck accidents are due to instability caused by a lack of brakes on the front axle or unco-ordinated brake application and release timing; and excessive stopping distances caused primarily by a lack of front brakes. This amendment will reduce the frequency of brake-related accidents by requiring front brakes, introducing brake-power requirements, and specifying application and release times for all air-braked vehicles. The amendment is planned to be effective one year after registration and contains no sunset provision.

The amendment will more closely harmonize Canadian and American requirements for air-braked vehicles. Based on vehicle manufacturers' estimates, the approximate average cost of fitting front brakes on vehicles for the Canadian market will be $500 per vehicle. Tests have shown that fitting front wheel brakes to heavy trucks reduces their stopping distance by 3 to 26 per cent, depending upon vehicle loading and road surface conditions. This Regulation is unlikely to have any discernible effects on regional balance, technological progress, the environment, output and employment, market structure and competition, income distribution or energy consumption.

This initiative was published in *Canada Gazette*, Part I on 11 January 1991.

It appeared in the 1991 Regulatory Plan as 635-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: W. Ng, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1966

TC-101

Motor Vehicle Safety Regulations, Standards 903 and 904: C-dolly Requirements

In 1984, the provincial, territorial and federal governments set up a joint research program with industry to work towards uniformity in provincial Regulations on commercial vehicle weights and dimensions. The research identified aspects of vehicle design that must be controlled to ensure safe operation. Specifications for several types of tractor-trailer vehicles were developed with the objective of enhancing their dynamic stability and productivity, while ensuring their safe use across Canada. All governments agreed to these specifications in 1988.

The agreement encourages the C-train by allowing it a higher load limit than the more common but less stable A-train. Both of these double semi-trailer combinations use a converter dolly, – basically a set of wheels and a drawbar, to join the trailers together. The A-dolly, with one drawbar, can jackknife under heavy braking in some conditions. The C-dolly has two drawbars which prevent this kind of instability.

A few accidents have highlighted the need for careful design of the C-dolly. Under the 1988 agreement, Transport Canada agreed to introduce a Regulation setting out safety requirements for C- dollies.

This Regulation will reduce the risk of heavy vehicle accidents. It is not expected to discernibly affect regional economic balance, the environment, employment, income distribution, energy consumption or paper burden.

This initiative appeared in the 1991 Regulatory Plan as 634-TC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: W. Ng, Engineer, Road Safety and Motor Vehicle Regulation Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 998-1966

Transport of Dangerous Goods Directorate

TC-102

Transportation of Dangerous Goods Regulations – Infectious Substances and Biomedical Waste

These amendments consist of rewriting those sections of the Regulations which refer to infectious substances and the inclusion of biomedical waste in the Regulations. They are being drafted in consultation with Health and Welfare Canada, Agriculture Canada, Environment Canada, waste management personnel and public health-related laboratories throughout Canada. These amendments will clarify the Regulations as well as broaden their application to biomedical wastes by expanding the types of waste included and specifying the means of containment to be used in their transport.

The amendments will change the way infectious substances are currently regulated, and will provide some easements in packaging and notification.

The amendments are expected to add some costs to industry for documentation, training and packaging. There will be a positive impact on the safety of the public.

This initiative appeared in the 1991 Regulatory Plan as 638-TC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Monteith, Director, Regulatory Affairs Branch, Transport Dangerous Goods Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-1154

TC-103

Transportation of Dangerous Goods Regulations – Highway Tanks

Amendments to Part VII will include consensus safety standards for the selection and use of highway tanks for the transportation of dangerous goods. These consensus standards have been developed by the Canadian Standards Association (CSA).

Regulations affecting highway tanks are expected to generate some cost to industry for retrofit and inspection. The impact will, however, be mitigated by allowing industry time to bring their tanks up to specifications. Of major benefit will be the alignment of Canadian and American standards for highway tanks, further enhancing the high level of reciprocity between the two countries.

This initiative appeared in the 1991 Regulatory Plan as 640-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Monteith, Director, Regulatory Affairs Branch, Transport Dangerous Goods Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-1154

TC-104

Transportation of Dangerous Goods Regulations – Waste Notification and Associated Changes Respecting Recycling

This amendment will contain a proposal to delete the waste notification requirements from the Regulations. The notification provisions will, instead, be included in Regulations promulgated under the Canadian Environmental Protection Act (CEPA).

Associated with the CEPA notification requirements will be relaxations for the notification of certain wastes that are sent for recycling. These changes will necessitate some changes to those areas of Transportation of Dangerous Goods Regulations that currently address the recycling of wastes.

This initiative appeared in the 1991 Regulatory Plan as 642-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Monteith, Director, Regulatory Affairs Branch, Transport Dangerous Goods Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-1154

TC-105

Transportation of Dangerous Goods Regulations – Schedule II (Lists)

Amendments to Schedule II of the Regulations will update the lists to the 6th edition of the United Nations Recommendations and will contain a number of other changes to the lists, such as deletion of cross-references and some special provisions. In addition, there will be some consequential changes to the text.

It is anticipated that there will be minimal cost to the industry.

This initiative appeared in the 1991 Regulatory Plan as 643-TC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Monteith, Director, Regulatory Affairs Branch, Transport Dangerous Goods Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-1154

TC-106

Transportation of Dangerous Goods Regulations – By Road in Quantities Less than 500 kg

The amendment will exempt from the Regulations the transportation of certain dangerous goods by road in quantities less than 500 kg if the goods are transported between the consignor and the consignee without any intermediate handling. Before this amendment, the exemption applied only to transportation from a retail outlet to a place of residence or place of consumption. Amendments to sections 2.22 and 2.28 and Part IX are for purposes of clarifying the Regulations. The amendment broadens the application of the exemption provided for retail outlets and, as such, provides relief for a large number of small businesses. The Transport Dangerous Goods Directorate is currently looking into the possible impact of this amendment on safety but no conclusions are available yet.

This initiative appeared in the 1990 Regulatory Plan as 647-TC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Monteith, Director, Regulatory Affairs Branch, Transport Dangerous Goods Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-1154

TC-107

Transportation of Dangerous Goods Regulations – Intermodal Portable Tanks

Amendments to parts II, VI, VII and VIII will transfer certain rail transport requirements from special permits issued under the Regulations for the Transportation of Dangerous Commodities by Rail (the Red Book) to the Transportation of Dangerous Goods (TDG) Regulations and will include selection and use requirements for the domestic transportation of intermodal portable tanks by road, rail and marine modes. Requirements for the impact testing of intermodal portable tanks in rail service will be included in these amendments.

These amendments will ensure that current industry practice and regulatory requirements are continued under, and integrated into, the TDG Regulations.

These amendments will have a positive impact on safety and will not result in increased cost to industry since they constitute a reiteration of current industry practice and regulatory requirements. The major benefit is to reduce the regulatory complexity of these requirements and bring them into line with the current regulatory structure relating to the transportation of dangerous goods.

This initiative, insofar as impact testing of intermodal portable tanks is concerned, appeared in the 1991 Regulatory Plan as 645-TC. In respect of selection and use requirements, this is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Monteith, Director, Regulatory Affairs Branch, Transport Dangerous Goods Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-1154

TC-108

Transportation of Dangerous Goods Regulations – International Requirements for Intermediate Bulk Containers

Amendments to parts VI and VII will incorporate a Canadian General Standards Board (CGSB) standard for the manufacture, selection, use, periodic retest and inspection of intermediate bulk containers (IBCs) used for the transportation of dangerous goods by all modes of transport. The requirements in the standard conform to the United Nations Recommendations on the Transport of Dangerous Goods for design and the International Maritime Dangerous Goods Code for the selection and use of IBCs. The requirements also incorporate existing North American industry design practice.

These amendments, by referring to the standard, will implement international requirements for IBCs manufactured in, or shipped from Canada. The amendments will also authorize the use of UN-type IBCs for domestic transportation, adding to domestic standards for the manufacture, selection and use of such containers.

The amendments are expected to generate a small cost to manufacturers as a result of the quality assurance program and registration requirements in the standard. There will be a positive impact on safety through the establishment of an international standard for the manufacture, selection and use of IBCs.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Monteith, Director, Regulatory Affairs Branch, Transport Dangerous Goods Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-1154

TC-109

Regulations for the Transportation of Dangerous Commodities by Rail and Piggyback Cargo Tank Regulations – Revocation

These amendments will partially revoke the Regulations for the Transportation of Dangerous Commodities by Rail (the Red Book) and revoke the Piggyback Cargo Tank (PCT) Regulations.

The regulatory requirements of the Red Book to which these amendments refer will have been integrated into the Transportation of Dangerous Goods (TDG) Regulations. Revocation will eliminate duplication of regulatory requirements for the transportation of dangerous goods by rail.

The integration of the Red Book into the TDG Regulations will create an inconsistency between the TDG Regulations and the PCT Regulations. Revocation of the PCT Regulations will eliminate this inconsistency.

These amendments are expected to have a positive impact on safety and will not result in increased cost to industry.

These are consequential amendments resulting from the implementation of previous initiatives included in the 1991 Regulatory Plan under 639-TC, 640-TC, 641-TC and 645-TC.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J.R. Monteith, Director, Regulatory Affairs Branch, Transport Dangerous Goods Directorate, Transport Canada, Ottawa, Ontario, K1A 0N5. Tel. (613) 990-1154

Transportation Safety Board of Canada

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General Information

Roles and Responsibilities

The Transportation Safety Board was created by the Canadian Transportation Accident Investigation and Safety Board Act. The board replaced the Aviation Safety Board. It also took over the responsibilities of Transport Canada's Marine Casualty Investigation Branch, the National Transportation Agency's Railway/Pipeline Investigation Directorate and the National Energy Board's investigative responsibilities with respect to oil and gas pipelines.

The object of the board is to advance transportation safety by preventing accidents. The board investigates transportation accidents to establish their causes and contributing factors, to identify safety deficiencies and to make recommendations to eliminate or reduce accidents. Besides conducting independent investigations and public inquiries on specific accidents, the board may conduct special studies and investigations on general matters pertaining to safety in transportation. When investigating accidents, the board has exclusive jurisdiction to make findings as to their causes and contributing factors. It may, at any time, reconsider any of its findings and recommendations. In making its findings, the board may not assign fault or determine civil or criminal liability but shall not refrain from fully reporting on the causes or contributing factors of an accident merely because fault or liability might be inferred from its report.

The creation of the board eliminated a long-standing conflict of interest arising from the situation of a government department or agency regulating or operating elements of the transportation system investigating accidents in the same part of the industry. Although a primary task of the board is to make recommendations to advance transportation safety, not being a regulatory agency, it does not have the authority to ensure their implementation. That authority rests with the Ministers responsible for the relevant transportation modes, who must report to the board, within 90 days of a board's recommendation, indicating any action taken or proposed or the reasons why the recommendation will not be followed.

Legislative Mandate

The board derives its responsibilities from its constituting statute:

- Canadian Transportation Accident Investigation and Safety Board Act

Initiatives

TSB-1

Transportation Safety Board Regulations

The object of these Regulations is to determine which accidents and incidents have to be reported to the board. They also govern the board's internal operations and public inquiries as well as the protection of accident sites and the observers' status at board's investigations.

In determining the reportable accidents and incidents, the board intends to enhance transportation safety with as minimal an impact on industry as necessary to attain this goal. Furthermore, these Regulations complete the legislative structure of the board, describe the rights and duties of intervenors before the board and insure their publicity.

This item is a new initiative.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: Franz Reinhardt, General Counsel, Transportation Safety Board, P.O. Box 9120, Alta Vista Terminal, Ottawa, Ontario, K1G 3T8. Tel. (819) 994-8078

Treasury Board of Canada Secretariat

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General Information

Roles and Responsibilities

The Treasury Board is a committee of the Queen's Privy Council for Canada. The board consists of the President of the Treasury Board, the Minister of Finance and four other ministers who are nominated by the Governor in Council.

The Treasury Board Secretariat, headed by the Secretary, is one of two organizations serving the Treasury Board. The other is the Office of the Comptroller General of Canada, headed by the Comptroller General.

The main role of the Treasury Board is the management of the government's financial, personnel, official languages and administrative responsibilities. It sets policy in these areas, examines and approves the proposed spending plans of government departments, and reviews the development of approved programs.

Legislative Mandate

The principal legislative authorities for the Treasury Board are:

- Financial Administration Act
- Public Service Staff Relations Act
- Official Languages Act

The Treasury Board is also authorized by the Governor in Council to implement:

- Public Service Superannuation Act
- Supplementary Retirement Benefits Act
- and other superannuation Acts

Administrative Arrangements

As well, the board is assigned responsibilities in a number of other Acts, usually as part of an approval process.

The Treasury Board and the President of the Treasury Board are also involved in public service pension statutes. The board has specific regulation-making and discretionary powers under a number of these statutes. The President is the Minister responsible for the Public Service Superannuation Act and the Supplementary Retirement Benefits Act, and has been assigned the reporting responsibilities under the Public Pensions Reporting Act.

Initiatives

TBS-1

Pension Protection

The government's privatization initiatives include a commitment to provide for the pensions of the public service employees involved. To provide a full and fair range of pension options, the precedent has been established to authorize Regulations allowing employment with the new employer to be recognized under the Public Service Superannuation Act for purposes of meeting any length of service requirement for benefit eligibility.

The application of these Regulations will be limited to those employees within the public services who cease employment as a result of privatization.

This proposal was reported in the 1991 Regulatory Plan as 646-TBS.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Joanne Lee, Chief, Legislation Group, Pensions and Special Projects Division, Treasury Board Secretariat, L'Esplanade Laurier, West Tower, Ottawa, Ontario, K1A 0R5. Tel. (613) 952-3233

TBS-2

Public Service Superannuation

The existing Regulations are to be amended to update statutory references, which are necessary to carry out certain elective service provisions of the Public Service Superannuation Act (PSSA).

The application of the amendments is limited to those PSSA contributors who elect under existing statutory provisions.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Joanne Lee, Chief, Legislation Group, Pensions and Special Projects Division, Treasury Board Secretariat, L'Esplanade Laurier, West Tower, Ottawa, Ontario, K1A 0R5. Tel. (613) 952-3233

TBS-3

Federal Real Property Regulations

These Regulations are intended to consolidate and streamline the general authorities and regulatory controls on real property conveyancing transations presently contained in several sets of Regulations, including the Government Land Purchase Regulations and the Public Lands Leasing and Licensing Regulations. The Regulations would also contain certain provisions that relate the the role of the Minister of Justice in real property transactions. The Regulations will contribute significantly to the efficiency and efficacy of real property managerial practices in the government.

This proposal was reported in the 1989 Regulatory Plan as 870-TBS.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: James R. Hamilton, Director, Management Reform, Bureau of Real Property Management, Treasury Board Secretariat, L'Esplanade Laurier, East Tower, Ottawa, Ontario, K1A 0R5. Tel. (613) 957-2506

Veterans Affairs Canada

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General Information

Roles and Responsibilities

Veterans Affairs Canada is responsible for the administration of 16 Acts and 32 sets of Regulations and Orders. These regulatory instruments give the Minister responsibility for the economic, social, mental and physical well-being of veterans, specified persons and their dependants. The range of services provided includes income support, pensions, health care including special equipment and long-term care, counselling, education assistance and the acquisition of title to property.

Legislative Mandate

The following legislation is administered by Veterans Affairs:

Statutes

- Army Benevolent Fund Act
- Children of Deceased Veterans Education Assistance Act
- Civilian War Pensions and Allowances Act
- Department of Veterans Affairs Act
- Pension Act
- Returned Soldiers Insurance Act
- Soldier Settlement Act
- Special Operators War Service Benefits Act
- Veterans Appeal Board Act
- Veterans Benefit Act
- Veterans Insurance Act
- Veterans Land Act
- War Service Grants Act
- War Veterans Allowance Act
- Women's Royal Naval Services and the South African Military Nursing Service (Benefits) Act

Regulations and Orders

- Army Benevolent Fund Regulations
- Assistance Fund (W.V.A. and C.W.A.) Regulations
- Children of Deceased Veterans Education Assistance Regulations
- Civilian Government Employees (War) Compensation Order
- Deceased or Former Members Dependants Payment Order
- Delegation of Powers (VLA) Regulations
- Execution of Building Contracts Regulations
- Execution of Documents Regulations
- Execution of Leases Regulations
- Execution of Purchase of Property Documents Regulations
- Flying Accidents Compensation Regulations
- Gallantry Awards Order
- Guardianship of Veterans' Property Regulations
- Infant or Person of Unsound Mind Payment Order
- Last Post Fund Regulations
- Memorial Cross Order (World War I)
- Memorial Cross Order (World War II)
- Pensioners Training Regulations
- Regional Advisory Committee Regulations
- Returned Soldiers' Insurance Regulations
- Special Duty Area Pension Order
- Supervisors War Service Benefits Act
- Vetcraft Shops Regulations
- Veterans Allowance Regulations
- Veterans Appeal Board Regulations
- Veterans Burial Regulations
- Veterans Estates Regulations
- Veterans Health Care Regulations
- Veterans Insurance Regulations
- Veterans Land Regulations
- Veterans Rehabilitation Regulations
- Veterans Treatment Regulations
- War Service Grants Regulations

Administrative Arrangements

Veterans Affairs has shared responsibility for the administration of the following Acts and Regulations:

- Defence Services Pension Continuation Act
- Royal Canadian Mounted Police Pension Continuation Act
- Royal Canadian Mounted Police Superannuation Act
- Penitentiary Inmates Accident Compensation Regulations
- Halifax Relief Commission Pension Continuation Act

Initiatives

VAC-1

Regulations for the Administration of Veterans Benefits

These proposed Regulations will implement a new system to assist veterans or their dependants if their ability to manage their financial affairs decreases to a point where help is needed. The system will provide for such services as third-party administration, redirection of monthly benefits to cover maintenance costs, the delivery of benefits by more frequent instalments such as weekly instead of monthly, and administration of veterans' moneys by the department.

These Regulations will also contain provisions for processing the administered accounts of clients upon death.

This is a new initiative, resulting from legislative amendments to the Department of Veterans Affairs Act contained in Bill C-87, passed by the House of Commons on 8 November 1990.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-2

Guardianship of Veterans Property Regulations

These Regulations contained certain provisions dealing with the administration of veterans' moneys. To avoid any duplications or ambiguities, those provisions will be revoked when the new Regulations for the Administration of Veterans Benefits (*see* VAC-1) are approved.

The remaining provisions in the Guardianship of Veterans Property Regulations, which deal with gifts and bequests donated to the department for the general benefit of veterans and their dependants, will be re-enacted in the new Veterans Trust Fund Regulations.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-3

Veterans Estate Regulations

These Regulations, which contained provisions for processing the administered accounts of veterans at the time of death, will be revoked as soon as the Regulations for the Administration of Veterans Benefits (*see* VAC-1) are approved, as these new Regulations will contain provisions for processing estate moneys.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-4

Children of Deceased Veterans Education Program

These amendments to the Children of Deceased Veterans Education Assistance Regulations will make provision for the new Regulations for the Administration of Veterans Benefits (*see* VAC-1). They would apply to clients receiving benefits under this program should there be a need.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-5

Veterans Treatment Regulations

When the new Veterans Health Care Regulations were approved in 1990 all the provisions contained in the Veterans Treatment Regulations were revoked except those sections pertaining to the administration of veterans' benefits. These sections were not revoked at that time as a major study on administration was underway. Now that the study has been completed, these sections will be revoked and provision will be made in the new Veterans Health Care Regulations to allow the new Regulations for the Administration of Veterans Benefits to apply to the health care program if necessary.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-6

Gallantry Awards Order

The Order which provides for payment to veterans holding specific war medals will be amended to make provision for the new Regulations for the Administration of Veterans Benefits. This would allow the new Regulations to be applied in situations in which a veteran receiving moneys under the Order may not be able to manage his or her own financial affairs.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-7

Assistance Fund Program

Amendments to the Assistance Fund Regulations are needed to reflect more accurately the changed operating and decision-making procedures that have been in place for some time. They will also provide for the new Regulations for the Administration of Veterans Benefits to apply if necessary.

In addition, the Regulations will be examined with a view to making amendments which will enable the program to meet the emergency needs of veterans.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-8

Veterans Health Care Program

These proposed amendments will further refine the Veterans Health Care Regulations which were implemented in 1990 by removing overlaps, clarifying sections and resolving omissions. These amendments are mainly of an administrative nature and will not result in any major program changes.

This amendment includes new initiatives as well as initiatives published in the 1991 Regulatory Plan as 649-VAC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-9

Delegation of Canadian Pension Commission Powers and Duties

When Bill C-87 was passed by the House of Commons on 8 November 1990, provision was made in the Pension Act for the delegation by Order, to employees of the Department of Veterans Affairs, of certain powers of the Canadian Pension Commission including the power to adjudicate in respect of spouses, children and other dependants.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-10

Last Post Fund Program

When Bill C-87 was passed by the House of Commons on 8 November 1990 the definition of common-law spouse in certain Acts authorizing veterans programs was amended to conform with the Divorce Act.

This proposed amendment will provide for a similar amendment to be made in the Last Post Fund Regulations which authorize the Last Post Fund to provide payment of veterans' funeral and burial expenses.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-11

Veterans Rehabilitation Regulations

Bill C-87, which was passed by the House of Commons on 8 November 1990, repealed the Veterans Rehabilitation Act. Now the Regulations which were authorized by that Act must be repealed.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-12

War Veterans Allowance Program

Under the War Veterans Allowance Act there is provision for paying additional War Veterans Allowance benefits to clients who are blind. This proposed amendment will amend the Regulations by adding a provision describing the circumstances under which a client is to be classified as blind.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

VAC-13

Veterans Appeal Board Regulations

This proposal will revoke certain provisions and modify others, in response to minor administrative concerns arising from a routine review of the Regulations by the Standing Joint Committee for the Scrutiny of Regulations.

The proposed amendments will correct minor problems and will have no adverse impact on clients.

This initiative was published in the 1991 Regulatory Plan as 650-VAC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: S.A. Cail, Director Regulations, Corporate Services, Veterans Affairs Canada, Charlottetown, Prince Edward Island, C1A 8M9. Tel. (902) 566-8339

Atomic Energy Control Board

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General Information

Roles and Responsibilities

The Atomic Energy Control Board (AECB) is a federal Crown corporation established in 1946 by the Atomic Energy Control Act. The AECB regulates and licenses nuclear materials and prescribed substances to ensure that the use of nuclear energy in Canada does not pose undue risk to health, safety, security and the environment. The board works in co-operation with other federal and provincial departments in such areas as health, environment, transport and labour.

The AECB sets standards, imposes requirements and assesses applicants' capabilities to comply. Once a licence is issued, the board carries out compliance inspections to ensure adherence to licence conditions and the Atomic Energy Control Regulations. Working in co-operation with other federal government agencies, the board controls all imports and exports of nuclear materials and items to ensure that Canada's national policies and international commitments relating to the non-proliferation of nuclear explosives are met.

The AECB is responsible for the designation of nuclear installations for the purposes of the Nuclear Liability Act. It also prescribes basic insurance to be carried by the operators of such designated installations. The amount of this insurance is subject to approval by Treasury Board.

Legislative Mandate

The following legislation is administered by the Atomic Energy Control Board:

- Atomic Energy Control Act
- Nuclear Liability Act

Initiatives

AECB-1

Uranium Mines (Saskatchewan) – Occupational Health and Safety

The proposed amendment incorporates Saskatchewan occupational health and safety laws by reference for use in uranium mines in Saskatchewan.

Uranium mines are subject to the Atomic Energy Control Act and Regulations. The Canada Labour Code also applies to uranium mines in areas not specifically provided for in the Atomic Energy Control Regulations, as in the case of non-radiological occupational health and safety. Since 1979, the Code has contained a reference to the Saskatchewan Occupational Health and Safety Act and Mines Regulations which has ensured that the laws in Saskatchewan that apply to conventional occupational health and safety in non-uranium mines also apply in uranium mines. Recent changes to the Code make it no longer possible to reference Regulations of another jurisdiction, hence the amendment.

Since the amendment will not change the application of occupational health and safety in Saskatchewan uranium mines, it will have no impact on the industry. An agreement for administration of the Regulation similar to one already in force in Ontario, will be negotiated between the Atomic Energy Control Board and the Saskatchewan Ministry of Human Resources, Labour and Employment.

This initiative appeared in the 1991 Regulatory Plan as 652-AECB.

Expected Date of Publication: Fourth Quarter 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. McManus, Secretary, Atomic Energy Control Board, 270 Albert Street, Ottawa, Ontario, K1P 5S9.
Tel. (613) 992-9206

AECB-2

Atomic Energy Control Regulations – General Amendments

These regulatory initiatives are intended to incorporate changes in regulatory processes that have developed since 1974; new provisions that address administrative law developments concerning fairness; and technical changes in the requirements for radiation health and safety which have been recommended by international experts. The amendments will also consolidate the following existing Regulations: Uranium and Thorium Mining Regulations, Physical Security Regulations and Transport Packaging of Radioactive Materials Regulations.

The amendments will have some financial impact on the nuclear industry in terms of regulatory process and increased radiation protection standards and requirements. Benefits will accrue to the health and safety of workers and members of the public and the protection of the environment.

This initiative appeared in the 1991 Regulatory Plan as 653-AECB.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. McManus, Secretary, Atomic Energy Control Board, 270 Albert Street, Ottawa, Ontario, K1P 5S9.
Tel. (613) 992-9206

AECB-3

Atomic Energy Control Regulations – Radioactive Material

This initiative will put existing licence-condition requirements into Regulations (except for those that apply only to an individual licensee, such as a reference to the requested use). It will not impose any requirements that are not already in effect.

The Atomic Energy Control Regulations require that persons wishing to use or possess radioactive materials (radioactive prescribed substances) must do so in accordance with a licence issued by the Atomic Energy Control Board. About 4000 licences are in effect at the present time. The Regulations specify only the general obligations of the licensee while the licence contains specific conditions. In this approach, licences will contain conditions that are particular to each licensee such as the nature and amount of material licensed and conditions specific to each licensee's application. Regulations will be used where conditions or requirements apply to all licensees or types of licensees (e.g., radiographers, gauge users, research, health care institutions).

The proposed amendment should have no financial impact on the nuclear industry. There will be no change in regulatory requirements. The increased visibility of AECB requirements should benefit licence applicants and result in more effective compliance. There will be consequential benefits to the health and safety of workers and members of the public and protection of the environment. The more efficient licensing administrative process should benefit both AECB and licensees.

This initiative appeared in the 1991 Regulatory Plan as 654-AECB.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: J.G. McManus, Secretary, Atomic Energy Control Board, 270 Albert Street, Ottawa, Ontario, K1P 5S9.
Tel. (613) 992-9206

AECB-4

Atomic Energy Control Regulations – Revisions to the Dose Limits

This initiative will bring Canadian Regulations into line with the latest recommendations of the International Commission on Radiological Protection. Review and analysis of recent information on the health effects of radiation by the commission indicate that radiation dose limits should be lowered. The AECB proposes to adopt the commission's recommendations, with few changes.

The new limits are expected to have little socio-economic effect on most of the nuclear industry. However, certain specific sectors may have difficulty in meeting the new limits – particularly underground uranium mining – hence there is a possibility of significant socio-economic impacts in these sectors. In order to ascertain the anticipated impacts more precisely, a consultative document has been sent to all licensees. A questionnaire which seeks details of specific financial, technical and social impacts of the new limits has been sent to all licensees of major facilities and to a representative sample of all other licensees. The consultative document has also been sent to other organizations and members of the public who would be affected or have an interest in the matter.

These new limits will benefit the health of workers and the public by keeping the risk of adverse health effects from radiation exposure at a comparable level to risks from other occupational and environmental factors.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. McManus, Secretary, Atomic Energy Control Board, 270 Albert Street, Ottawa, Ontario, K1P 5S9.
Tel. (613) 992-9206

AECB-5

Transport Packaging of Radioactive Materials

These amendments conform to changes made to Regulations of the International Atomic Energy Agency. Regulations for the safe transport of radioactive materials published by the International Atomic Energy Agency (IAEA) are the basis for similar Regulations in most countries as well as those for international air and marine organizations.

As a major exporter of radioactive materials, Canada has participated in the development of IAEA Regulations since their inception in 1961 and has adopted them for use in Canada. Most recently, Canada participated in a major review and updating of the IAEA Regulations by experts from many countries. The results of this work have been published as IAEA Regulations for the Safe Transport of Radioactive Material, 1985 edition as amended. These amendments will ensure that Canadian Regulations for the transportation of radioactive materials conform with the revised IAEA Regulations. The amendments will be presented as a complete revision of the Transport Packaging of Radioactive Materials Regulations in order to improve the clarity and presentation of the Regulations.

The amendments will include new requirements for the shippers of radioactive materials in quality assurance, testing, labelling, identification, definitions and the classification of types of packages. These will have some financial implications for the shippers due to the increased standards. On the other hand, compliance with the requirements will permit unhindered international shipments of radioactive materials while ensuring improved protection for persons and the environment.

This initiative appeared in the 1991 Regulatory Plan as 655-AECB.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. McManus, Secretary, Atomic Energy Control Board, 270 Albert Street, Ottawa, Ontario, K1P 5S9.
Tel. (613) 992-9206

AECB-6

Uranium Mines (Ontario) – Occupational Health and Safety

These amendments arise from changes to referenced Ontario Regulations.

The Uranium Mines (Ontario) Occupational Health and Safety Regulations enable the application of Ontario laws respecting non-radiological health and safety in uranium mines. To ensure conformity, the legal reference in federal Regulations must be amended each time a decision is made by the Province of Ontario to amend the Ontario Occupational Health and Safety Act and Regulations.

To assess the impact of amended Regulations, the Province of Ontario carries out a process for public consultation.

This initiative appeared in the 1991 Regulatory Plan as 656-AECB.

Expected Date of Publication: Draft Regulations will be prepublished by the Ontario government as part of its public consultation process and therefore will not be prepublished in *Canada Gazette*, Part I. Final publication in *Canada Gazette*, Part II is expected during 1992.

Contact: J.G. McManus, Secretary, Atomic Energy Control Board, 270 Albert Street, Ottawa, Ontario, K1P 5S9.
Tel. (613) 992-9206

AECB-7

Cost Recovery Fees Regulations

The fees levied under these Regulations are intended to recover the costs incurred by the AECB in the regulation assessment and compliance inspection of licensees. The Regulations resulted from government policy respecting the recovery of such costs from the regulated industry. A periodic review of the actual costs of the licensing activities will result in adjustments to the fees schedule to ensure that fees reflect as closely as possible the costs associated with the various licensing activities.

This initiative appeared in the 1991 Regulatory Plan as 657-AECB.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: J.G. McManus, Secretary, Atomic Energy Control Board, 270 Albert Street, Ottawa, Ontario, K1P 5S9.
Tel. (613) 992-9206

Canada Mortgage and Housing Corporation

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General Information

Roles and Responsibilities

Canada Mortgage and Housing Corporation (CMHC) is a federal Crown corporation. It was established by the Central Mortgage and Housing Corporation Act in 1946. The primary intention in creating the Corporation was to centralize under one organization, the administration of the Housing Acts of 1935, 1938 and 1944 which had been administered by the Minister of Finance. Its present name was adopted in 1979.

The principal role of the corporation continues to be the administration of the National Housing Act. Under the present Act the basic functions of the corporation are the provision of mortgage loan insurance; the guaranteeing of timely payment of mortgage-backed securities issued by an approved issuer; the administration of the mortgage loan insurance, mortgage-backed securities guarantee, rental guarantee and home improvement loan insurance funds established pursuant to the Act; the administration and/or delivery of various government housing construction loan, contribution, subsidy and loan guarantee programs; research of housing conditions, community planning and other activities in support of CMHC's mandate; the administration of loans, investments and other assets of the corporation; the provision of certain technical services to other federal departments and agencies and to approved home warranty programs.

Apart from loan insurance and mortage-backed securities, active programs would include: residential rehabilitation assistance, rent supplement, co-operative housing, non-profit housing, urban native non-profit housing, rural and native housing, on-reserve demonstration projects and support of research.

Government programs are delivered either by CMHC or by a province or territory subject to a cost-sharing arrangement entered into with CMHC. Since 1986, a province or territory can deliver most government housing programs.

Regulations made pursuant to the National Housing Act are contained in the National Housing Loan Regulations. The Regulations are enabling in nature providing for program detail not contained in the Act.

Legislative Mandate

The following legislation is administered by CMHC:

- Canada Mortgage and Housing Corporation Act
- National Housing Act

Initiatives

CMHC-1

Waiver of Fire and Property Insurance Requirement

The amendment will allow lenders to waive the fire and property insurance requirement (with the prior approval of CMHC) for borrowers in receipt of social housing assistance.

This amendment could result in savings to the federal government. No impact is anticipated in the social and political areas.

This initiative appeared in the 1991 Regulatory Plan as 659-CMHC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D.V. Tyler, Director, Legal Division, CMHC National Office, 700 Montreal Road, Ottawa, Ontario, K1A 0P7. Tel. (613) 748-2892

CMHC-2

Mortgage-backed Securities Program

Under the National Housing Loan Regulations the minimum net worth requirements for mortgage-backed securities (MBS) issuers is set out in detail.

It is intended to review the need for this requirement in the context of industry norms, other regulatory controls already in place and the evolution of the market since the introduction of the program. Amendments may afford CMHC the flexibility to respond in a timely fashion to the dynamics of the MBS and financial markets.

This initiative appeared in the 1991 Regulatory Plan as 658-CMHC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: D.G. Dennis, Executive Director, Insurance, CMHC National Office, 700 Montreal Road, Ottawa, Ontario, K1A 0P7. Tel. (613) 748-4675

CMHC-3

Rural and Native Housing

The rural and native housing programs have been evaluated by CMHC, and a public consultation was held to support development of new policies which may entail changes to the Regulations governing these programs. The current programs include payment geared-to-income rental and ownership approaches, and emergency repair grants.

This initiative appeared in the 1991 Regulatory Plan as 663-CMHC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Jacques Beaupré, Director, Strategic Planning and Policy Development Division, CMHC National Office,
700 Montreal Road, Ottawa, Ontario, K1A 0P7.
Tel. (613) 748-2040

CMHC-4

Residential Renovation Policy

CMHC has held public consultations on initiatives to encourage moderate-income households to undertake renovations without direct subsidies, and on the design of the Residential Rehabilitation Assistance Program. Amendments to the Regulations governing the program will be proposed that improve its coverage and targeting.

There could be potential impacts on homeowners, financial institutions and the renovation industry.

This initiative appeared in the 1991 Regulatory Plan as 661-CMHC.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Jacques Beaupré, Director, Strategic Planning and Policy Development Division, CMHC National Office,
700 Montreal Road, Ottawa, Ontario, K1A 0P7.
Tel. (613) 748-2040

CMHC-5

Text Improvement

The proposed Regulations are a collection of amendments to existing Regulations. They include: modernization of language, correction of errors, improvement in form and elimination of unnecessary provisions. The amendments represent no policy changes.

This is a recurring initiative. A similar item appeared in the 1991 Regulatory Plan as 660-CMHC.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: D.V. Tyler, Director, Legal Division, CMHC National Office, 700 Montreal Road, Ottawa, Ontario, K1A 0P7.
Tel. (613) 748-2892

Canadian Radio-television and Telecommunications Commission

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General Information

Roles and Responsibilities

The Canadian Radio-television and Telecommunications Commission (CRTC), a public authority that is organizationally and legally independent of government departments, does not require ministerial approval for its regulatory initiatives. The CRTC was established by Parliament in 1968 by the Broadcasting Act to regulate and supervise all aspects of the Canadian broadcasting system. Its responsibilities were enlarged in 1976 by the CRTC Act, under which the commission assumed responsibility for regulating telecommunications carriers within federal jurisdiction, in accordance with the Railway Act and the National Telecommunications Powers and Procedures Act.

Under the Broadcasting Act, the CRTC must "regulate and supervise all aspects of the Canadian broadcasting system" with a view to implementing the policy outlined by Parliament in Subsection 3(1) of the Act, having regard to the regulatory policy set out in Subsection 3(2). The CRTC, which regulates both public and private broadcasters, has the power to issue, renew, amend, suspend or revoke licences and to set conditions of licence for the achievement of the objectives of the Act.

The 13 full-time members and six part-time members of the commission, or the members of a hearing panel where there has been a public hearing, make decisions with respect to all broadcast licensing matters and determine the commission's broadcasting policies. The commission prescribes classes of broadcasting licences, and makes By-laws, Regulations and Rules of Procedure.

Regulations on broadcasting matters are issued following public consultation in accordance with subsections 10(3) and 11(5) of the Broadcasting Act. Where major changes to the broadcasting Regulations are proposed, written comments are invited and an oral public hearing may be held, at which interested parties present their views. Public hearings are also held in connection with the issuance, suspension or revocation of a licence, the establishment of performance objectives for the purpose of licence fees and the making of Orders, in accordance with Subsection 18(1) of the Broadcasting Act. They are frequently held in connection with the renewal or amendment of a licence, pursuant to Subsection 18(2). In addition, the commission solicits public opinion before existing policies and practices are developed or modified.

The CRTC's regulatory mandate with respect to telecommunications derives from several statutes, including the Railway Act, the National Telecommunications Powers and Procedures Act and the acts of incorporation of the federally regulated carriers. Section 335 of the Railway Act requires that a carrier's rates be filed for approval by the commission; Section 340 states that all such rates shall be just and reasonable, and that a carrier shall not unjustly discriminate or give any undue preference or advantage in respect of its rates, services or facilities. The CRTC also seeks public comment on applications from federally regulated carriers and other parties, and often holds public hearings on general rate increases or significant policy issues.

The issuance, amendment or renewal of any broadcasting licence may be set aside or referred back to the commission for reconsideration and hearing, by Order of the Governor in Council. Otherwise, every broadcasting decision and Order of the commission is final and conclusive.

Under Section 67 of the National Telecommunications Powers and Procedures Act, the Governor in Council can vary or rescind, but not refer back, decisions made by the commission relating to the federally regulated telecommunications carriers.

An appeal against a broadcasting or telecommunications decision or Order of the commission may be made, with leave, to the Federal Court of Appeal upon a question of law or a question of jurisdiction.

The adjudicative activities of this agency, such as the licensing of broadcasting undertakings or the approval of the interconnection of telecommunications carriers, are frequently in response to private-sector initiatives and cannot, therefore, be planned in advance. In some instances, notices of these activities are published in *Canada Gazette*, Part I.

Legislative Mandate

- Canadian Radio-television and Telecommunications Act
- Broadcasting Act
- National Telecommunications Powers and Procedures Act
- Railway Act

Initiatives

CRTC-1

Specialty Services

Subsection 7(2) of the Specialty Services Regulations, 1990 requires licensees to file a program log or a machine-readable record of its programming with the commission. An internal task force reviewing broadcasting process has recommended that the filing of computerized logs be made compulsory for all specialty-service licensees. The commission therefore expects to propose an amendment to the Regulations to reflect this recommendation.

This initiative was in the 1991 Regulatory Plan as 670-CRTC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemary Chisholm, Director General, Secretariat Operations, 1 Promenade du Portage, Central Building, Hull, Quebec, K1A 0N2. Tel. (819) 997-4427

CRTC-2

Pay Television

Subsection 4(2) of the Pay Television Regulations, 1990 requires licensees to file a program log or a machine-readable record of its programming with the commission. An internal task force reviewing the broadcasting process has recommended that the filing of computerized logs be made compulsory for all pay television licensees. The commission therefore expects to propose an amendment to the Regulations to reflect this recommendation.

This initiative was in the 1991 Regulatory Plan as 671-CRTC.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemary Chisholm, Director General, Secretariat Operations, 1 Promenade du Portage, Central Building, Hull, Quebec, K1A 0N2. Tel. (819) 997-4427

CRTC-3

Television

Subsection 10(3) of the Television Regulations, 1987 requires licensees to file a program log or a machine-readable record of its programming with the commission. An internal task force reviewing broadcasting process has recommended compulsory filing of computerized logs for some television licensees. The commission therefore expects to propose an amendment to the Regulations to reflect this recommendation.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemary Chisholm, Director General, Secretariat Operations, 1 Promenade du Portage, Central Building, Hull, Quebec, K1A 0N2. Tel. (819) 997-4427

CRTC-4

Cable Television

n 5 June 1991 the commission issued CRTC Public Notice 1991-59 entitled "Community Channel Policy" which updated the existing 1975 community channel policy and set out the consequent proposed amendments to the Cable Television Regulations, 1986. The new policy will require amendments to sections 2, 13, 14 and 24 of the Regulations. The proposed amendments include removing the requirement that licensees of Class 2 systems with fewer than 2000 subscribers provide community programming on the community channel.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemary Chisholm, Director General, Secretariat Operations, 1 Promenade du Portage, Central Building, Hull, Quebec, K1A 0N2. Tel. (819) 997-4427

CRTC-5

Radio, Television, Cable, Pay and Specialty Services

An internal task force is reviewing the consequences of the changed definitions of broadcasting and broadcasting undertakings with a view to bringing the Regulations in line with the new Broadcasting Act. This may necessitate amendments to all or some of the above Regulations.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Rosemary Chisholm, Director General, Secretariat Operations, 1 Promenade du Portage, Central Building, Hull, Quebec, K1A 0N2. Tel. (819) 997-4427

Copyright Board Canada

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General Information

Roles and Responsibilities

The Copyright Board is an administrative tribunal that hears and decides issues pursuant to the Copyright Act with respect to the fixation of royalties payable to collectives representing the authors of works protected by the Act. The board may also issue a licence to carry out an Act protected by the law where the copyright holder of a published work cannot be located.

More specifically, the board has jurisdiction over the fixing of royalties payable to licensing bodies for the performance of musical and dramatico-musical works (sections 67 to 67.3 of the Copyright Act); the fixing of royalties payable to collecting bodies for the retransmission of distant television and radio signals (sections 70.61 to 70.67 of the Act); the fixing of royalties payable to licensing bodies for all other Acts mentioned in Subsection 3(1) of the Copyright Act where there is a disagreement between the collective and users, or when the Director of Investigation and Research, appointed under the Competition Act, considers that an agreement filed with the commission is contrary to the public interest and requests that the board examines this agreement (sections 70.1 to 70.6 of the Act); and the issuance of non-exclusive licences for any Act protected by copyright with respect to published works where the owner of the copyright cannot be located (Section 70.7 of the Act).

Also, the board may be required to conduct studies with respect to the exercise of its powers as requested by the Minister (Section 66.8 of the Act).

Legislative Mandate

- Copyright Act

Initiatives

CB-1

Copyright Board Rules of Practice and of Procedure

This Regulation defines the practices of the Copyright Board and the procedures to be followed by parties who appear before this tribunal.

Among other things, these rules will deal with the time and manner in which applications and notices must be made or given, methods of serving documents and the organization of hearings.

The Regulation will allow parties appearing before the board to know in advance the rules governing hearings as well as the way in which the board operates.

This Regulation is a carry-over of an initiative included in the 1991 Regulatory Plan, 672-CB.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: Philippe Rabot, Secretary, Copyright Board, Ottawa, Ontario, K1A 0C9. Tel. (613) 952-8621

Elections Canada

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General Information

Roles and Responsibilities

The Chief Electoral Officer is responsible for exercising general direction and supervision over the preparation, administration and reporting of federal elections and the election expenses provisions of the Canada Elections Act. He or she must also ensure that all those involved in the electoral process comply with the Act. The Chief Electoral Officer is appointed by resolution of the House of Commons to which the Chief Electoral Officer is directly accountable and communicates with the Governor in Council through the member of the Queen's Privy Council for Canada designated by the Governor in Council. This post is currently held by the President of the Privy Council.

Enforcement of the provisions of the Canada Elections Act is carried out by the Commissioner of Canada Elections under the general supervision of the Chief Electoral Officer who also appoints the Commissioner.

The Chief Electoral Officer provides the necessary data and assistance to enable the electoral boundaries commissions to discharge their responsibilities under the Electoral Boundaries Readjustment Act with respect to each province's representation in the House of Commons.

The Canada Elections Act contains no provisions for the making of Regulations. The Chief Electoral Officer is, however, given the unusual power to adapt the Act during the course of an election. In this way, the electoral process is free from political interference and even the appearance of it.

Legislative Mandate

- Canada Elections Act
- Electoral Boundaries Readjustment Act

Initiatives

ELC-1

Tariffs of Fees

The Canada Elections Act stipulates that upon the recommendation of the Chief Electoral Officer, the Governor in Council may make tariffs of fees, costs, allowances and expenses to be paid and allowed to returning officers, special returning officers and other persons employed at or in respect of elections under the Canada Elections Act and its Special Voting Rules.

The impact of these Statutory Instruments varies from year to year depending on what electoral activities are undertaken during the year. The policy adopted is to review the Tariffs of Fees each year in order to avoid having to recommend substantial increases close to a general election, as well as to provide adequate remuneration to those providing services at by-elections. During an election year the payments made under the tariffs could exceed $75 000 000.

This initiative was published in the 1991 Regulatory Plan as 674-ELC.

Expected Date of Publication: It is anticipated that the Tariffs of Fees will be published in the *Canada Gazette* during the fall of each year.

Contact: F.B. Slattery, Director, Election Financing Directorate, Elections Canada, 440 Coventry Road, Ottawa, Ontario, K1A 0M6. Tel. (613) 993-2975

Hazardous Materials Information Review Commission Canada

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General Information

Roles and Responsibilities

The Workplace Hazardous Materials Information System (WHMIS) is a national system which was developed following extensive consultation between organized labour, industry and the federal, provincial and territorial governments to provide employees in the workplace with information on hazards associated with hazardous materials. Recognizing the importance of striking a balance between the rights and needs of workers to be provided with information on hazardous materials and the right of suppliers and employers to preserve the confidentiality of bona fide confidential business information, the participants agreed to the establishment of an independent adjudicative agency to determine the validity of claims for exemption from full disclosure and to provide for appeals arising from such judgments. The Commission was established by the Hazardous Materials Information Review Act, passed by the House of Commons in June 1987.

The commission has the authority, under the Hazardous Materials Information Review Act, to make decisions on claims from suppliers or employers for limited exemption from the reporting requirements of WHMIS on the basis that disclosure would reveal confidential business information. Commission staff also determine whether material safety data sheets or labels accompanying products for which an exemption is claimed comply with the provisions of the Hazardous Products Act, Part IV of the Canada Labour Code and provincial and territorial occupational safety and health legislation.

The commission is also responsible for convening independent boards to hear appeals of its decisions by claimants or by other affected parties. Decisions on exemption claims and rulings on whether labels and material safety data sheets comply with Regulations can be appealed.

Although the commission must protect confidential business information which it receives, it is also responsible for providing this information to physicians and registered nurses in a medical emergency when the supplier cannot be reached.

Finally, the commission has been directed to recover its operating costs through fees for the filing of claims and appeals.

The commission is headed by a president, appointed by the Governor in Council and is governed by a Council of Governors consisting of members nominated by representatives of workers, suppliers, employers and members representing the governments of Canada and the provinces and territories. The functions of the council are, among others, to make recommendations to the Minister of Consumer and Corporate Affairs on changes to regulatory procedures established for the review of claims for exemption and appeals and changes to the fee structure.

The commission reports to Parliament through the Minister of Consumer and Corporate Affairs.

Legislative Mandate

The following legislation is administered by the Hazardous Materials Information Review Commission:

- Hazardous Materials Information Review Act

Initiatives

HMIRC-1

Appeal Board Procedures Regulations

The Hazardous Materials Information Review Act Appeal Board Procedures Regulations will require minor revisions as a result of recent amendments to the commission's fee structure. Included in the fee amendments is a fee reduction for appeals filed by small businesses, small unions and individual workers. This fee adjustment has to be reflected appropriately in the Appeal Board Procedures Regulations.

In addition, other minor revisions to these Regulations will be required as a result of proposed amendments to the Hazardous Materials Information Review Act and Canada Labour Code. These changes will permit an affected party or class of affected parties to make separate application for disclosure, in confidence, of confidential business information, solely for reasons of safety in a workplace. This initiative will also include such other consequential amendments as are necessary to reflect the statutory changes.

This regulatory initiative is carried over from the 1991 Regulatory Plan, 676-HMIRC and 677-HMIRC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: S. Watts, A/Director of Appeals, Hazardous Materials Information Review Commission, 66 Slater Street, Suite 400, Ottawa, Ontario, K1A 0C9. Tel. (613) 993-4472

HMIRC-2

Hazardous Materials Information Review Regulations

Proposed amendments to the Hazardous Materials Information Review Act and the Canada Labour Code will necessitate consequential amendments to the Hazardous Materials Information Review Regulations. These revisions will be of a minor, technical nature and are required to reflect the statutory changes within these Regulations.

This regulatory initiative is carried over from the 1991 Federal Regulatory Plan, 678-HMIRC.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: S. Watts, A/Director of Appeals, Hazardous Materials Information Review Commission, 66 Slater Street, Suite 400, Ottawa, Ontario, K1A 0C9. Tel. (613) 993-4472

National Energy Board

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General Information

Roles and Responsibilities

The National Energy Board was established in 1959 under the National Energy Board Act to advise the government on broad energy matters and to regulate specific matters concerning oil, gas and electricity in the public interest. The board reports to Parliament through the Minister of Energy, Mines and Resources.

In its role as a quasi-judicial tribunal, the board has the power to hold inquiries into any aspect of energy matters under its jurisdiction and issues reports for the use and information of government, Parliament and the general public.

The board regulates tolls and tariffs of pipeline companies under federal jurisdiction to ensure that the tolls are just and reasonable and that there is no unjust discrimination. This involves consideration of the capital structure of a pipeline company and its operating costs and of the necessity for an adequate return on investment so that capital can be attracted to maintain and to extend service. The board audits the accounts of pipeline companies and monitors their financial performance.

The board issues long-term licences, normally following public hearings, for the export of oil, gas and electricity. In issuing licences for the exportation of oil and gas, the board must be satisfied that the quantities of energy to be exported do not exceed the surplus remaining after allowance has been made for the foreseeable requirements in Canada. In the case of electricity, the board authorizes exports by issuing permits, without public hearings, upon applications by exporters unless the licensing procedure is ordered by the Governor in Council on the recommendation of the board. The board also issues Orders for the short-term import and export of oil and gas, subject to the restrictions imposed in the National Energy Board Part VI Regulations.

The board grants certificates to construct and operate interprovincial and international oil, gas and petroleum products pipelines. Before a certificate is issued the board must hold a public hearing to determine whether the proposed facilities are required by the present and future public convenience and necessity. Persons whose lands may be affected by the route of a pipeline approved by the board can present their views to the board at a subsequent local public hearing. Their evidence is considered in the determination of the final detailed route of the utility. The construction and operation of international power lines are authorized by permits issued by the board without public hearings. The Governor in Council may, however, on the recommendation of the board, order that an application be subject to a certificate proceeding requiring a public hearing.

The board's Onshore Pipeline Regulations and other related Regulations provide for the safe design, construction and operation of pipelines under the board's jurisdiction. To ensure high standards of pipeline construction and operation, the board inspects and investigates pipeline system performance. The board also considers the environmental implications of any proposal to build and operate an oil or gas pipeline or international power line, assessments being made generally through public hearings and through an audit of the company's inspection of construction and operation.

The board is a Court of Record with specific exceptions relating to the confidentiality of competitive pricing information. The board's deliberations are conducted on the basis of publicly filed, publicly available information. For major applications and inquiries the board holds public hearings at which applicant and interested persons have full rights of participation in the official language of their choice. To give parties an opportunity to discuss their concerns or questions, the board provides advance notice of the hearings and allows time for parties to respond to requests for information. In addition, the board issues quarterly regulatory agendas on matters coming before the board as well as information bulletins on a variety of matters pertaining to Board activities.

When the board is prepared to grant a certificate for a pipeline or power line or to issue a licence for the export of natural gas, electricity or oil, it reports to the Governor in Council through the Minister of Energy, Mines and Resources. If the certificate or licence is approved by the Governor in Council it is then issued by the board. The decision of the board to refuse an application is not subject to referral to the Governor in Council. The board's reasons for decision on applications are issued as public documents. The board's decisions on tolls and tariffs and on the issuance of permits for electricity exports and international power lines are made without reference to the Governor in Council, as are the majority of the board's day-to-day decisions.

Legislative Mandate

- National Energy Board Act
- Energy Administration Act
- Northern Pipeline Act

Initiatives

NEB-1

Cost Recovery Regulations

These Regulations, permitting the National Energy Board to recover the costs of regulation directly from regulated companies will be amended to provide some minor adjustments in the method of recovering the costs.

Since late in 1990, total costs of operating the NEB have been recovered from regulated companies rather than being paid out of general government revenues. These costs represent approximately 0.12 per cent (about one-tenth of one per cent) of the value of the 1990 electricity export sales and oil and gas throughput of all companies regulated by the board.

This initiative appeared in the 1991 Regulatory Plan as 682-NEB.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Klotz, Director, Finance and Administration, National Energy Board, 311-6th Avenue S.W., Calgary, Alberta, T2P 3H2. Tel. (403) 292-4800

NEB-2

Export and Import Reporting Regulations

These proposed Regulations would require persons exporting oil, gas and power or importing gas to provide information to the board about the export or import.

The information is similar to that currently required by the Part VI Regulations. However, at the suggestion of the Standing Joint Committee for Scrutiny of Regulations, the board decided to remove the reporting requirement from the Part VI Regulations and make new Regulations under Subsection 129(1) of the NEB Act to provide for reporting requirements.

These Regulations will be made concurrently with the proposed amendments to the Part VI Regulations.

This initiative appeared in the 1991 Regulatory Plan as 683-NEB.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Laing, Secretary, National Energy Board, 311-6th Avenue S.W., Calgary, Alberta, T2P 3H2. Tel. (403) 292-4800

NEB-3

Onshore Pipeline Regulations

These Regulations specify the requirements for the protection of property and the environment and the safety of the public and the company's employees in the construction, operation and abandonment of an onshore pipeline.

The Regulations will be revised as the result of recommendations made by the board in a report from an investigation into a fatal accident which took place in 1985.

These amendments, which are the product of lengthy consultations between the board and industry, will pertain to the improved maintenance and operation of onshore oil and gas pipelines under the board's jurisdiction. For example, improvements in welding techniques, control systems and safety training programs will be covered.

Also included in the forthcoming revisions will be changes to improve certain portions of the Regulations based on the board's experience since the Onshore Pipeline Regulations were introduced. These changes will be the subject of the full public review and commenting process.

Further amendments to the Regulations are anticipated to address the safety and environmental protection requirements for the construction, operation and abandonment of gas plants under the board's jurisdiction.

This initiative appeared in the 1991 Regulatory Plan as 684-NEB.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Laing, Secretary, National Energy Board, 311-6th Avenue S.W., Calgary, Alberta, T2P 3H2. Tel. (403) 292-4800

NEB-4

Part VI Regulations

The NEB Part VI Regulations will be amended to reflect recent changes to export regulation, to improve the language of the Regulations and to address concerns expressed by the Standing Joint Committee for Scrutiny of Regulations in recent years.

Comments were sought from industry in the fall of 1990 following briefing sessions with board staff.

This initiative appeared in the 1991 Regulatory Plan as 686-NEB.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Laing, Secretary, National Energy Board, 311-6th Avenue S.W., Calgary, Alberta, T2P 3H2. Tel. (403) 292-4800

NEB-5

Regulations to Implement New Electricity Policy

Since the passage of Bill C-23 (an Act to Amend the NEB Act) which came into effect on 1 June 1990, Regulations have been drafted to implement the new electricity policy.

The draft Regulations set out, among other things, information requirements for applications in respect of electricity exports and international power line facilities, terms and conditions of export and facilities permits, and the matters which the board may consider in deciding whether to recommend a public hearing process. These Regulations will, in part, replace existing NEB Part VI Regulations and a Schedule to the draft Rules of Practice and Procedure, will streamline the board's operations and will reduce the level of regulation in keeping with the government's more market-based approach to energy policy.

This initiative appeared in the 1991 Regulatory Plan as 687-NEB.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Laing, Secretary, National Energy Board, 311-6th Avenue S.W., Calgary, Alberta, T2P 3H2. Tel. (403) 292-4800

NEB-6

Regulations Pertaining to Crossings Involving International Power Lines

Since Bill C-23 (an Act to Amend the NEB Act) came into force, the draft Regulations in respect of crossings involving international power lines have been finalized. The proposal consists of two sets of Regulations. The first set, the International Power Line Crossings, Construction and Abandonment Regulations, deals with crossings by international power lines as well as the companies' responsibilities to maintain crossing records, records of abandoned crossings and to report incidents. The second set, the International Power Line Regulations, deals with crossings of international power lines and sets out the terms and conditions under which the board's permission to cross such power lines is not necessary.

This initiative appeared in the 1991 Regulatory Plan as 688-NEB.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Laing, Secretary, National Energy Board, 311-6th Avenue S.W., Calgary, Alberta, T2P 3H2. Tel. (403) 292-4800

National Transportation Agency of Canada

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General Information

Roles and Responsibilities

The National Transportation Agency was created pursuant to the National Transportation Act (NTA), 1987 and replaced the Canadian Transport Commission as the federal body responsible for the economic regulation of transportation activities coming under the jurisdiction of Parliament. The agency has all the powers, rights and privileges of a superior court with respect to matters within its jurisdiction; it may make Regulations with the approval of the Governor in Council and issue decisions and Orders regarding these matters. The agency's decisions are subject to review by the agency; to appeal to the Federal Court on questions of law; and to petition to the Governor in Council.

The agency is guided by the National Transportation Policy set out in Section 3 of the NTA, 1987: "... a safe, economic, efficient and adequate network of viable and effective transportation services making the best use of all available modes of transportation at the lowest total cost is essential ...." It may also be guided by binding policy directions issued by the Governor in Council. The agency exercises its powers through a board and is organized into three program branches: Transportation Subsidies, Market Entry and Analysis, and Dispute Resolution and has three administrative support branches.

Legislative Mandate

The agency performs all the functions vested in it by the following Acts:

- Access to Information Act
- Atlantic Region Freight Assistance Act
- Canada Shipping Act
- Canadian National Railway Act
- Energy Supplies Emergency Act
- Government Railways Act
- Maritime Freight Rates Act
- Motor Vehicle Transport Act
- National Energy Board Act
- National Transportation Act
- Pilotage Act
- Privacy Act
- Railway Act
- Railway Relocation and Crossing Act
- Railway Safety Act
- St. Lawrence Seaway Authority Act
- Shipping Conferences Exemption Act
- Western Grain Transportation Act

Initiatives

NTA-1

Cost Recovery in the Air Transportation Mode

Pursuant to the government's cost-recovery policy for services and limited rights and benefits, Regulations will be implemented to charge air carriers fees for some functions of the agency.

This new initiative aims at partial cost recovery.

Expected Date of Publication: First Quarter 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: J.S. Marko, Special Advisor, Market Entry and Analysis Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 997-6085

NTA-2

Air Transportation – Advance Payments Protection

On 9 May 1990 the agency announced its intention to amend the advance payments protection provisions of the Air Transportation Regulations to provide enhanced protection for travellers. It is anticipated that these amendments will remove the exemption from the requirement to protect advance payments provided to scheduled international air carriers performing international charters. The regulatory changes should strengthen the effectiveness of advance payments protection.

This item appeared as 689-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: Third Quarter, 1991, *Canada Gazette*, Part I; First Quarter, 1992, *Canada Gazette*, Part II

Contact: J. Jacob, Chief, Financial Evaluation Division, Market Entry and Analysis Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-8960

NTA-3

Air Transportation – Insurance Provisions

The insurance provisions in the Air Transportation Regulations were carried over from the Air Carrier Regulations and were last amended in 1983. At that time, the former regulatory body gave an undertaking to air carriers and insurance brokers/underwriters that these specific Regulations would be reviewed in three years. Because of fundamental changes in recent years to the economic regulation of air transport, this review could not be conducted by the former regulatory body. The insurance provisions will be reviewed to ensure that users of air transportation and third parties remain sufficiently and adequately insured against aircraft mishaps.

It is anticipated that this review will result in some amendments being made to ensure that those affected by aircraft accidents will receive just and reasonable compensation.

This item appeared as 691-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J.S. Marko, Special Advisor, Market Entry and Analysis Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 997-6085

NTA-4

Air Transportation – Simplification and Consolidation of International and Domestic Charters

The government's 1985 "Freedom to Move" discussion paper did not propose basic changes to the way in which international air services should be operated. Consequently, the National Transportation Act, 1987, and the first edition of the Air Transportation Regulations did not make any substantive changes to existing Regulations. Notwithstanding, great opportunities exist for improving Regulations pertaining to international and domestic charters. It is proposed, therefore, to streamline and modernize the Regulations for both types of charter services.

These changes will benefit both the carriers and public users.

This item appeared as 692-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: J.S. Marko, Special Advisor, Market Entry and Analysis Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 997-6085

NTA-5

Air Transportation Regulations – Housekeeping Changes

These Regulations will be amended to make the French and English versions consistent in meaning. The amendments will clarify the wording and avoid confusion for users.

This item appeared as 694-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: D.C. Rennick, Chief, Economic Evaluation Division, Market Entry and Analysis Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-9786

NTA-6

Air Transportation – International Tariffs and General Schedules

The government's 1985 "Freedom to Move" discussion paper did not propose basic changes to the way in which international air services should be operated. Consequently, the National Transportation Act, 1987, and the first edition of the Air Transportation Regulations did not make any substantive changes to what was in place. However, opportunities exist to modernize Regulations particularly with the advent of electronic tariff filing.

Changes to the Regulations for international tariffs and international service schedules will benefit both carriers and public users.

This item appeared as 693-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: P. Juneau, Director, Air and Marine Complaints, Investigations and Tariffs, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 997-6328

NTA-7

Terms and Conditions of Carriage and Special Air Fares for Disabled Persons in Large Aircraft

In the absence of a tariff filing requirement for domestic air carriage, carriers offering air services within Canada are at liberty to alter or eliminate any portions of their policies regarding the carriage of persons with disabilities without the immediate knowledge of the agency. To ensure the maintenance of certain rights acquired by persons with disabilities under the previous regulatory regime, and to regulate accessibility to domestic air transportation with regards to the terms and conditions of carriage, the agency proposes to promulgate new Regulations on the subject.

The Regulations, while contributing to the accessibility of domestic air transportation by persons with disabilities, will have a minimal impact on most carriers as the proposals generally reflect present conditions.

The Regulations also refer to special air fares for the assistants of passengers with disabilities and for additional seats to accommodate a disability. The Regulations may impose a regulatory burden upon air carriers, but the benefits will significantly outweigh such a burden. The agency will attempt to minimize the burden on air carriers in the development of these provisions while still respecting the intent of the legislation.

Proposals 695-NTA and 697-NTA from the 1991 Regulatory Plan have been combined to form this new proposal.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Director, Accessible Transportation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

NTA-8

Terms and Conditions of Carriage of Disabled Persons in Small Aircraft

In the absence of a tariff filing requirement for domestic air carriage, carriers offering air services within Canada are at liberty to alter or eliminate any portions of their policies regarding the carriage of persons with disabilities without the immediate knowledge of the agency. To ensure the maintenance of certain rights acquired by persons with disabilities under the previous regulatory regime and to regulate accessibility to domestic air transportation with regards to the terms and conditions of carriage, the agency proposes to promulgate new Regulations on the subject.

The Regulations, while contributing to the accessibility of domestic air transportation, will have a medium impact on most carriers as the proposals generally reflect present conditions.

This item appeared as 696-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette* Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Director, Accessible Transportation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

NTA-9

Accessibility Standards – Disabled Persons – Transportation Terminals

An amendment to the National Transportation Act, 1987, has assigned to the agency the responsibility of prescribing, administering and enforcing accessibility standards for all modes of transportation under federal jurisdiction. (This responsibility was previously that of Transport Canada.) This extends the purview of the agency in respect of accessibility beyond the tolls, and terms and conditions applicable to air transportation to include the equipment and services offered by air carriers, and the airports subject to federal jurisdiction, as well as the terminals, services and equipment of VIA Rail, Roadcruiser bus service in Newfoundland, Marine Atlantic ferries and other federally subsidized ferry services. The agency proposes new Regulations prescribing accessibility standards for these modes of transportation. Standards pertaining to terminals, equipment, training and services will be addressed separately.

Transportation services have been developing construction and retrofitting programs and enhancing special services to improve accessibility. The new Regulations will, however, ensure that common standards are applied in all transportation modes under federal jurisdiction. While there will be an unavoidable economic impact on government and industry service providers, the agency will try to minimize this burden, while ensuring the highest level of accessibility to transportation services.

This item appeared as 698-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Director, Accessible Transportation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

NTA-10

Accessibility Standards – Disabled Persons – Transportation Equipment

An amendment to the National Transportation Act, 1987, in July of 1988, empowered the National Transportation Agency to prescribe, administer and enforce accessibility standards for all modes of transportation under federal jurisdiction. The agency proposes new Regulations prescribing accessibility standards for transportation equipment. While there will be an unavoidable economic impact on government and industry, the agency will try to minimize this burden, while ensuring the highest level of accessibility to transportation services.

This item appeared as 699-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Director, Accessible Transportation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

NTA-11

Accessibility Standards – Disabled Persons – Training of Transportation Personnel

By an amendment to the National Transportation Act, 1987, the agency has been assigned the responsibility of prescribing, administering and enforcing accessibility standards for all modes of transportation under federal jurisdiction. (This responsibility was previously that of Transport Canada.) The purview of the agency in respect of accessibility has therefore been extended beyond the tolls, and terms and conditions applicable to air transportation to include the equipment and services offered by air carriers, and the airports subject to federal jurisdiction, as well as the terminals, services and equipment of VIA Rail, Roadcruiser bus service in Newfoundland, Marine Atlantic ferries and other federally subsidized ferry services. The agency proposes new Regulations prescribing accessibility standards for these modes of transportation. Standards pertaining to terminals, equipment, training and services will be addressed separately.

The new Regulations will ensure that common training standards are applied to personnel in transportation modes under federal jurisdiction. While there will be an unavoidable economic impact on government and industry service providers, the agency will try to minimize this burden, while ensuring the highest level of accessibility to transportation services.

This item appeared as 700-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: Fourth Quarter, 1991, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Director, Accessible Transportation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

NTA-12

Communication of Information to Disabled Persons

By amendment to the National Transportation Act, 1987, the agency may make Regulations for the purpose of eliminating undue obstacles, in the transportation network governed by the Act, to the mobility of persons with disabilities, including Regulations respecting the communication of information to persons with disabilities.

This new initiative will standardize communication of information for those persons with sensory or cognitive impairments in all transportation modes under federal jurisdiction.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Accessible Transportation Directorate, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

NTA-13

Details of Maps, Plans, Profiles, Drawings, Specifications and Books of Reference

The agency will review the Details of Maps, Plans, Profiles, Drawings, Specifications and Books of Reference Regulations with a view to replacing these Regulations with a non-statutory application guideline or an amended Regulation prescribing the level of detail required by the agency.

The proposed change will complete the transition from rail infrastructure Regulations issued by the agency's predecessors, to guidelines and Regulations respecting rail infrastructure, which are specific to the agency's mandate.

This initiative amends item 703-NTA in the 1991 Regulatory Plan. It will allow the agency to provide improved service without any loss of effectiveness.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Spear, A/Director, Rail Infrastructure, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-0327

NTA-14

Railway-Highway Crossing at Grade

Following promulgation of the Railway Safety Act, the agency proposes to rescind the Railway-Highway Crossing at Grade Regulations which will be replaced by a non-statutory guideline prescribing appropriate application requirements.

The new non-statutory document will be appropriate to the agency's amended jurisdiction in this field and pertinent to the needs of clients, without the necessity of compliance with statutory instruments that may not be appropriate to certain cases. The agency's enabling legislation allows it to prescribe requirements on a case-by-case basis.

This initiative amends item 704-NTA in the 1991 Regulatory Plan. It will allow the agency to provide improved service to clients without any loss of effectiveness.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Spear, A/Director, Rail Infrastructure, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-0327

NTA-15

Railway Grade Separations

Following promulgation of the Railway Safety Act, the agency proposes to rescind the Railway Grade Separations Regulations which will be replaced by a non-statutory guideline prescribing appropriate application requirements.

The new non-statutory document will be appropriate to the agency's amended jurisdiction in this field and pertinent to the needs of clients, without the necessity of compliance with statutory instruments that may not be appropriate to certain cases. The agency's enabling legislation allows it to prescribe requirements on a case-by-case basis.

This initiative amends item 705-NTA in the 1991 Regulatory Plan. It will allow the agency to provide improved service to clients without any loss of effectiveness.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Spear, A/Director, Rail Infrastructure, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-0327

NTA-16

Road Authority Accounts

The agency proposes to rescind the Road Authority Accounts Regulations which concern the preparation of accounts by a road authority in respect of work for which a grant may be made from the Railway Grade Crossing Fund. The Fund was abolished by the Adjustment of Accounts Act, 1980, and the agency no longer has jurisdiction to authorize grants.

This initiative amends item 706-NTA of in the 1991 Regulatory Plan. There will be no social or economic impact.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Spear, A/Director, Rail Infrastructure, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-0327

NTA-17

Public Utility Relocation Accounting

The agency proposes to rescind the Public Utility Relocation Accounting Regulations which concern the preparation of accounts with respect to the cost of relocating a public utility for which a grant may be made from the Railway Grade Crossing Fund. The Fund was abolished by the Adjustment of Accounts Act, 1980, and the agency no longer has jurisdiction to authorize grants for such work.

This initiative amends item 707-NTA in the 1991 Regulatory Plan. There will be no social or economic impact.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Spear, A/Director, Rail Infrastructure, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-0327

NTA-18

Pipe Crossings Under Railways

Following promulgation of the Railway Safety Act, the agency proposes to rescind or amend, as appropriate, the Pipe Crossings Under Railways Regulations and to replace the application instruction part of these Regulations with a non-statutory guideline which prescribes the agency's application requirements. Other parts of the Regulations will be reviewed for relevance to current legislation.

The new non-statutory application document will be appropriate to the agency's amended jurisdiction in this field and pertinent to the needs of its clients, without the necessity to comply with statutory instruments that may not be appropriate to certain cases. The agency's enabling legislation allows it to prescribe requirements on a case-by-case basis.

This initiative amends item 708-NTA in the 1991 Regulatory Plan. It will allow the agency to provide improved service to clients without any loss of effectiveness.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Spear, A/Director, Rail Infrastructure, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-0327

NTA-19

Wire Crossings and Proximities

The agency proposes to rescind or amend as appropriate, the Wire Crossings and Proximities Regulations and to replace the application instruction part of these Regulations with a non-statutory guideline prescribing the agency's application requirements. Other parts of the Regulations will be reviewed for relevance to current legislation.

The new non-statutory application document will be appropriate to the agency's amended jurisdiction in this field and pertinent to its clients, without the need to comply with statutory instruments that may not be appropriate to certain cases. The agency's enabling legislation allows it to prescribe requirements on a case-by-case basis.

This initiative amends item 709-NTA in the 1991 Regulatory Plan. It will allow the agency to provide improved service to clients without any loss of effectiveness.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Spear, A/Director, Rail Infrastructure, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-0327

NTA-20

Telegraph and Telephone Lines – Height of Wires

The agency proposes to rescind or amend the Height of Wires of Telegraph and Telephone Lines Regulations. A non-statutory guideline prescribing the agency's requirements for applications where parties are in dispute, will be issued. The Regulations will be reviewed for relevance to current legislation.

The new non-statutory application document will be appropriate to the agency's amended jurisdiction in this field and to its clients, without the need for compliance with statutory instruments that may not be appropriate to certain cases. The agency's enabling legislation allows it to prescribe requirements on a case-by-case basis.

This initiative amends item 710-NTA in the 1991 Regulatory Plan. It will allow the agency to improve client service without any loss of effectiveness.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Ian Spear, A/Director, Rail Infrastructure, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-0327

NTA-21

Railway Additional Tolls Regulations

The initiative will amend Regulation R-35 (formerly G.O. T-20), which prescribes additional tolls for railway companies which do not comply with certain sections of the Railway Act, 1985.

The Regulation will be amended as to provide consistency with the Railway Act, 1988.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: G. Proulx, Director, Rail Complaints, Tariffs and Mediation Directorate, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9.
Tel. (819) 997-6270

NTA-22

Water Carrier Free and Reduced Rate Transportation Regulations

This initiative will revoke the Agency Regulation (formerly G.O. T-28) which regulates passenger fares for travel by water at reduced rate levels, below the normal tariff rate.

The Regulation is being revoked because it is inconsistent with the National Transportation Act, 1987.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: G. Proulx, Director, Rail Complaints, Tariffs and Mediation Directorate, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9.
Tel. (819) 997-6270

NTA-23

Water Carrier Freight Tariff Order

The regulatory initiative will revoke the agency Regulation (formerly G.O. T-37), which prescribes freight tariff filing procedures for water carriers, because it is inconsistent with the National Transportation Act, 1987.

This is a new initiative.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: G. Proulx, Director, Rail Complaints, Tariffs and Mediation Directorate, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9.
Tel. (819) 997-6270

NTA-24

Railway Interswitching Rate Scale

The National Transportation Act, 1987, requires railways to perform interswitching, that is, to transfer the traffic of a shipper to the lines of another railway if the shipper is located within 30 km of a connection or interchange with the second railway. This regulatory initiative is intended to establish the maximum charge a railway may impose for performing interswitching for the 1993 calendar year.

The amended rates will ensure that railways performing interswitching services in 1993 are compensated for the cost of providing the service, and that shippers will have access to the services of a second railway at a price which in most cases will not impede the transfer of traffic.

This initiative is repeated annually and appeared in the 1991 Regulatory Plan as 713-NTA.

Expected Date of Publication: Fourth Quarter, 1992, Canada Gazette, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: G. Proulx, Director, Rail Complaints, Tariffs and Mediation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9.
Tel. (819) 997-6270

NTA-25

Annual Rate Scale Order for Western Grain, 1992-93

An Order will be issued that prescribes the annual rate scale for the movement of western grain by rail for the crop year 1992-93, and the percentage of the rate to be borne by the Government of Canada and by the grain shippers.

The estimated eligible costs for the movement of western grain, by rail, for the crop year 1992-93, are forecast to be between $1.1 billion and $1.3 billion. Approximately 98 per cent of the estimated eligible costs are recovered by the railway companies through the application of the annual rate scale. The government's portion of payments through application of the 1992-93 rate scale, known as the Government Commitment, is estimated to be between $600 and $800 million. The shippers' portion of the payments is estimated to be between $300 and $400 million.

This initiative is repeated annually and appeared in the 1991 Regulatory Plan as 711-NTA.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Director, Rates and Payments Directorate, Transportation Subsidies Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 997-4914

NTA-26

Railway Costing Regulations

The agency proposes to amend the Railway Costing Regulations to conform with current legislation (National Transportation Act, 1987) and references to sections in the Railway Act. The Railway Costing Regulations are essentially the same as those found in Reasons for Order R-6313 respecting costing principles and techniques of the railways subject to the agency's jurisdiction. There will be no social or economic impact.

This item appeared as proposal 712-NTA in the 1991 Regulatory Plan.

Expected Date of Publication: Third Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Director, Program Management and Co-ordination Directorate, Transportation Subsidies Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9.
Tel. (819) 994-0370

NTA-27

Terms and Conditions of Carriage by Rail of Persons with Disabilities

Carriers offering rail services within Canada are at liberty to alter or eliminate any portion of their policies regarding the carriage of persons with disabilities. To ensure uniformity of terms and conditions of carriage of persons with disabilities across Canada, the agency proposes to promulgate new Regulations on the subject.

The Regulations, while contributing to the accessibility of services to persons with disabilities, will have a minimum impact on most carriers as the proposals generally reflect present conditions.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Director, Accessible Transportation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

NTA-28

Terms and Conditions of Carriage of Persons with Disabilities by Marine Services Subject to Federal Jurisdiction

Carriers offering marine services subject to federal jurisdiction are at liberty to alter or eliminate any portion of their policies regarding the carriage of persons with disabilities. To ensure uniformity of terms and conditions of carriage of persons with disabilities across Canada, the agency proposes to promulgate new Regulations on the subject.

The Regulations, while contributing to the accessibility of services to persons with disabilities, will have a minimum impact on most carriers as the proposals generally reflect present conditions.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Director, Accessible Transportation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

NTA-29

Terms and Conditions of Carriage of Persons with Disabilities on the Canadian National Roadcruiser Bus Service

To ensure uniformity of terms and conditions of carriage of persons with disabilities, the agency proposes to promulgate new Regulations on the operation of this service in Newfoundland.

The Regulations, while contributing to the accessibility of services to persons with disabilities, will have a minimum impact on the carrier, Canadian National Roadcruiser, as the proposals generally reflect present conditions.

This is a new initiative.

Expected Date of Publication: Second Quarter, 1992, *Canada Gazette*, Part I; Fourth Quarter, 1992, *Canada Gazette*, Part II

Contact: K. Laughlin, Director, Accessible Transportation, Dispute Resolution Branch, National Transportation Agency, Ottawa, Ontario, K1A 0N9. Tel. (819) 953-2749

Patented Medicine Prices Review Board Canada

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General Information

Roles and Responsibilities

The Patented Medicine Prices Review Board Canada is an independent quasi-judicial agency established in 1987 by amendments to the Patent Act and was given a mandate to carry out regulatory and reporting functions with respect to patented medicine prices as well as research and development. The board acts as a safeguard against patentees charging excessive prices for patented medicines, monitors and reports annually to Parliament both on price trends of all medicines and on the research and development performance of pharmaceutical patentees. The board is empowered to remove patent protection or order a price rollback with respect to any patented medicine, the prices of which the board finds, following a hearing, to be excessive.

Legislative Mandate

- Patent Act

Initiatives

PMPRB-1

Rules of Practice and Procedure

This new Regulation will establish general rules for regulating the practice and procedure of the board in its formal proceedings.

These rules will deal, among other things, with the time and manner in which applications and notices must be made or given, methods of serving documents and the nature and organization of board hearings.

The Regulation will allow parties appearing before the board to know in advance the rules governing hearings.

This is a new initiative.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Second Quarter, 1992, *Canada Gazette*, Part II

Contact: Sylvie Dupont-Kirby, Secretary to the Board, Patented Medicine Prices Review Board, 359 Kent Street, Ottawa, Ontario, K1A 0C9. Tel. (613) 954-8299

PMPRB-2

Review of the Patented Medicines Regulations

The Patented Medicines Regulations came into effect in 1988 and provide for the provision, by patentees of inventions pertaining to medicines; of information to the board on the identification and price of patented medicines sold in Canada; and revenues and research and development expenditures relating to medicines. The board will conduct a review of the Regulations to identify possible amendments to ensure that the information needs of the board are being met in a way that minimizes regulatory burden. It is not anticipated that there will be any social or economic impacts.

This is a new initiative.

Expected Date of Publication: Fourth Quarter, 1992, *Canada Gazette*, Part I; First Quarter, 1993, *Canada Gazette*, Part II

Contact: Gerald Robertson, Director, Policy Planning and Evaluation, Patented Medicine Prices Review Board, 359 Kent Street, Ottawa, Ontario, K1A 0C9. Tel. (613) 952-7612

Procurement Review Board of Canada

Contents

Procurement Review Board Regulations – Elimination of Anomalies *PRBOC-1* .... Page 203

General Information

Roles and Responsibilities

The Procurement Review Board is an administrative tribunal established under Part II of the Canada-United States Free Trade Agreement Implementation (FTAI) Act. Its mandate is to consider complaints from potential suppliers on any aspect of the procurement relating to a contract awarded or to be awarded by a federal government department. Contracts must be covered by the Free Trade Agreement (FTA) and have an estimated value between $31 000 and $210 000. The board has the procedural powers of a superior court of record and can conduct investigations, hold hearings, and make determinations on complaints, award costs and recommend appropriate remedies.

The FTAI Act includes an Authority for the Governor in Council to make questions assigning to the board additional powers, duties, and functions in relation to procurements relating to contracts of the Government of Canada, or other prescribed bodies or offices, and respecting the exercise of those powers, and the performance of those duties and functions. No additional Regulations have yet been enacted.

Legislative Mandate

- The Canada-United States Free Trade Agreement Implementation Act, Part II

Initiatives

PRBOC-1

Procurement Review Board Regulations – Elimination of Anomalies

This amendment to the Regulations is intended to prescribe additional procedural requirements as decision-making criteria for the board; to delete certain unnecessary provisions relating to the "standing" of parties before the board; to provide for the agency relationship between Supply and Services Canada (SSC) and its customer departments because, technically, SSC is the governmental institution against which procurements complaints are most often brought; to revise the provisions relating to confidentiality of documents to make a more workable scheme; to eliminate the 10-day waiting period after the making of a board determination before it is publicly released; and to make minor corrections and resulting changes to the Regulations.

These changes will eliminate the anomalies in the Regulations that have come to light as a result of practical experience, and will enable the board to operate more efficiently and expeditiously.

This initiative was published in the 1991 Regulatory Plan as 715-PRB.

Expected Date of Publication: First Quarter, 1992, *Canada Gazette*, Part I; Third Quarter, 1992, *Canada Gazette*, Part II

Contact: Ron Williams, General Counsel, Procurement Review Board, P.O. Box 1533, Station B, Ottawa, Ontario, K1P 6P6. Tel. (613) 990-1483

Progress Report on 1991 Regulatory Plan Initiatives

This section gives a brief progress report on initiatives described in the 1991 *Federal Regulatory Plan* and allows for interested parties to track the status of proposed Regulations. These are entered under the 1991 Plan number and include a one-line statement explaining their progress as of 15 September 1991.

Progress Report on 1991 Regulatory Plan Initiatives

Status Report as of 15 September 1991

Status Codes for the Progress Report

F = already published in the *Canada Gazette*, Part II

W = withdrawn

P= prepublished, in process of moving towards final approval

N = not yet published in either Part I or Part II of the *Canada Gazette*

S= on schedule according to the Regulatory Plan for the current year

D = delayed

I = included in the Regulatory Plan for 1992

R = recurring

Agriculture Canada

1991 Plan Number	Title	Status
1-AGR	Agricultural Products Marketing Act – Various Orders	I
2-AGR	Animal Disease and Protection Regulations – Brucellosis and Tuberculosis	D
3-AGR	Animal Disease and Protection Regulations – Controls on the Importation of Animals	67%P 33%D
4-AGR	Animal Disease and Protection Regulations – Import Animal Products and By-Products	D
5-AGR	Animal Disease and Protection Regulations – Import Certification Requirements	D
6-AGR	Animal Disease and Protection Regulations – Importation of Feedstuffs	D
7-AGR	Animal Disease and Protection Regulations – Minor Revisions	P
8-AGR	Animal Disease and Protection Regulations – Prohibition Orders	F
9-AGR	Animal Disease and Protection Regulations – Vaccination in Foreign Animal – Disease Control	D
10-AGR	Animal Disease and Protection Regulations – Veterinary Biologics	W
11-AGR	Beef Carcass Grading Regulations – Marbling	P
12-AGR	Dairy Products Regulations – Exemptions	NDI
13-AGR	Dairy Products Regulations – Health and Safety	PD (in progress)
14-AGR	Dairy Products Regulations – Rewrite	NDI (in progress)
15-AGR	Dairy Products Regulations – Statutory/ Housekeeping	PD (in progress)
16-AGR	Egg Regulations – Health and Safety	P
17-AGR	Feeds Regulations – Minor and Editorial Updates	NDI (in progress)
18-AGR	Feeds Regulations – Registration Exemption	F
19-AGR	Fertilizers Act – Manufacturing	W
20-AGR	Fertilizers Regulations – Minor Revisions	NDI
21-AGR	Fertilizers Regulations – Private Labels	W
22-AGR	Fertilizers Regulations – Temporary Registration	NDI (in progress)
23-AGR	Fresh Fruit and Vegetable Regulations – Apple Grade Standards	ND (in progress)
24-AGR	Fresh Fruit and Vegetable Regulations – Exemptions	NS
25-AGR	Fresh Fruit and Vegetable Regulations – Packaging and Labelling	NDI (in progress)
26-AGR	Fresh Fruit and Vegetable Regulations – Potatoes	ND (in progress)
27-AGR	Hatchery Regulations – Revision	NDI
28-AGR	Hay and Straw Inspection Regulations – Revision	NDI (in progress)
29-AGR	Hog Carcass Grading Regulations, 1986 – Sow Grades	NDI (in progress)
30-AGR	Honey Regulations – Exemptions	NDI
31-AGR	Honey Regulations – Health and Safety	PF
32-AGR	Honey Regulations – Operations	NDI
33-AGR	Lamb and Mutton Carcasses Grading Regulations – Grade Standards	NDI
34-AGR	Licensing and Arbitration Regulations – Rewrite	NDI (in progress)
35-AGR	Livestock Carcass Grading Regulations – Consolidation	NDI (in progress)
36-AGR	Maple Products Regulations – Exemptions	NDI
37-AGR	Maple Products Regulations – Health and Safety	PF
38-AGR	Meat Inspection Regulations 1990 – Composition of Meat Products	NDI
39-AGR	Meat Inspection Regulations 1990 – Corrections/ Additions	NDI (in progress)

1991 Plan Number	Title	Status
40-AGR	Meat Inspection Regulations 1990 – Overtime Fees	F
41-AGR	Meat Inspection Regulations 1990 – Slaughter of Game Animals	NDI (in progress)
42-AGR	Pari-mutuel Betting Regulations – Drug Control	NDI (in progress)
43-AGR	Pari-mutuel Betting Regulations – Standing Joint Committee	NDI
44-AGR	Pest Control Products Regulations – Clarification	W
45-AGR	Pest Control Products Regulations – Organism	W
46-AGR	Pest Control Products Regulations – Forfeited Product	W
47-AGR	Pest Control Products Regulations – Minor Wording	W
48-AGR	Pest Control Products Regulations – Pool Chemicals	NDI (in progress)
49-AGR	Pest Control Products Regulations – Registration of Active Ingredients	DI
50-AGR	Pest Control Products Regulations – Research Permits	W
51-AGR	Plant Breeders' Rights Regulations	PD (in progress)
52-AGR	Plant Protection Regulations	D (in progress)
53-AGR	Processed Egg Regulations – Product Standards	F
54-AGR	Processed Poultry Regulations – Health and Safety	F
55-AGR	Processed Products Regulations – Exemptions	NDI
56-AGR	Processed Products Regulations – Frozen Blueberries	W
57-AGR	Processed Products Regulations – Health and Safety	PD (in progress)
58-AGR	Processed Products Regulations – Honey and Maple Products	NDI
59-AGR	Quarantine and Inspection Services Fees Order – Update	D (in progress)
60-AGR	Registered Seed Establishment Regulations	NDI
61-AGR	Seeds Regulations – General Revisions	NDI
62-AGR	Seeds Regulations – Importation of Seed	W
63-AGR	Seeds Regulations – Minor Revisions	W
64-AGR	Seeds Regulations – Seed Potatoes	NDI (in progress)
65-AGR	Seeds Regulations – Varietal Blend Standards	PD (in progress)
66-AGR	Uniform Regulations	F
67-AGR	Canadian Wheat Board Regulations – Initial Payments	ND
68-AGR	Western Grain Stabilization Regulations – Updating Revisions	W
69-AGR	Beef and Veal Import Restriction Order	NSI
70-AGR	Agricultural Stabilization Act – Prescribed Prices	F(1)I
71-AGR	Crop Insurance Act – Amendments	W
72-AGR	Farm Improvement and Marketing Cooperatives Loans Regulations	NDI
73-AGR	Official Abbreviations	NDI
74-AGR	Fees of the CGC	FI
75-AGR	Grain Forms	NDI
76-AGR	Elevator Tariffs	FI
77-AGR	Maximum Shrinkage – Allowances	W
78-AGR	Miscellaneous – Amendments	NDI

Canada Oil and Gas Lands Administration *see* Energy, Mines and Resources Canada; Indian and Northern Affairs Canada

Communications Canada

102-COM	Amateur Radio Service Sub-band Allocations and Operator's Certificate Endorsements	F
103-COM	High Voltage Power Systems – Radio Noise Limits	F
104-COM	Telecommunication Apparatus Assessment and Testing Fees	F
105-COM	Certification of Radio Operators	PDI
106-COM	Restructuring of the Amateur Radio Service	NDI
107-COM	Technical Data Services Fees	NDI
108-COM	MATV Exemption	F
109-COM	Video Recording Devices Regulations	NDI
110-COM	Revisions to Broadcast Station Identification Regulations	NDI
111-COM	Interference Causing Equipment (ICE) Regulations	NDI
112-COM	Radio Apparatus (RA) Regulations	NDI
113-COM	Minister of Communications Authority to Prescribe Fees Order	NDI
114-COM	Point-to-Multipoint Licensing	NDI
115-COM	Canadian Cultural Property Export Control List	NDI

Consumer and Corporate Affairs Canada

116-CCAC	Canada Business Corporations – Name Search	NDI
117-CCAC	Canada Business Corporations – Corporate Names	NDI

1991 Plan Number	Title	Status
118-CCAC	Canada Business Corporations – Schedule I – Forms	NDI
119-CCAC	Canada Cooperative Associations – Tariff of Fees	NDI
120-CCAC	Canada Business Corporations – Schedule II – Fees	NDI
121-CCAC	Canada Business Corporations – Fees – Certificate of Compliance	NDI
122-CCAC	Trade-marks – Registered Users (see new 1992 initiative – Intellectual Property Improvement Bill)	NDI
123-CCAC	Trade-marks – Revision	NDI
124-CCAC	Integrated Circuit Topography Protection	NDI
125-CCAC	Industrial Design – Applications (see new 1992 initiative – Intellectual Property Improvement Bill)	NDI
126-CCAC	Industrial Design – Witness Requirement	F
127-CCAC	Patents – Registration of Patent Agents	P
128-CCAC	Trade-marks – Agents (included with 123-CCAC)	W
129-CCAC	Patents – Reissue	NDI
130-CCAC	Patents – Patent Co-operation Treaty	NDI
131-CCAC	Bankruptcy – Trustee's Fees and Disbursements in Summary Administration	W
132-CCAC	Bankruptcy – Levy Payable to the Superintendent of Bankruptcy	W
133-CCAC	Mineral Water Labelling	W
134-CCAC	Housekeeping Amendments to Food Labelling Regulations	N
135-CCAC	Routine Food Labelling – Amendments	NI
136-CCAC	Discounting Forms – Minor Revisions	DI
137-CCAC	Ministerial Order Tax Rebate Discounting	W
138-CCAC	Bicycle Helmets	W
139-CCAC	Carriages and Strollers	NDI
140-CCAC	Child Resistant Lighters	NDI
141-CCAC	Cribs and Cradles	NDI
142-CCAC	Glazed Ceramics	NDI
143-CCAC	Hydrofluoric Acid and Fluoride Ions in Consumer Chemical Products	NDI
144-CCAC	Liquid Coating Materials	NDI
145-CCAC	Matches	P
146-CCAC	WHMIS – Controlled Products	NDI
147-CCAC	Electricity and Gas Inspection Regulations – Minor Revisions to Inspection Fees and Charges	NDI
148-CCAC	Electricity and Gas Inspection Regulations – Technical Revisions	NDI
149-CCAC	Electricity and Gas Inspection Regulations – Exceptions to Subsection 15(2) of the Electricity and Gas Inspection Act	NS
150-CCAC	Weights and Measures – Minor Revisions and Additions	NI
151-CCAC	Weights and Measures – Limits of Error for Exempted Devices	NI
152-CCAC	Weights and Measures Fees and Charges	NDI
153-CCAC	Textile Articles for Industrial/Commercial Use	F
154-CCAC	Unknown Fibres/Fibres Present in Amounts Less Than 5 Per Cent	S
155-CCAC	Dealer Identity Numbers	NDI
156-CCAC	Miscellaneous Textiles	NDI
157-CCAC	Energuide	NDI
158-CCAC	Container Sizes – Powdered Laundry Detergent	NDI
159-CCAC	Miscellaneous – Consumer Packaging and Labelling	NDI

Department of Finance Canada

1991 Plan Number	Title	Status
160-FIN	Offshore Area Certificate of Registration Regulations	NDI
161-FIN	Offshore Area Exemption Regulations	NDI
162-FIN	Drilling Rigs Regulations	NDI
163-FIN	Nova Scotia Sales Tax Rate of Interest Regulations	NDI
164-FIN	Federal-Provincial Fiscal Arrangements Regulations, 1988	N
165-FIN	Tax Collection Agreements and Federal Post-Secondary Education and Health Contributions Regulations, 1987	N
166-FIN	Temporary Reduction, Removal or Drawback of Customs Duties	I
167-FIN	Sports Equipment	I
168-FIN	Goods for Disabled Persons	I
169-FIN	Tariff Treatment – Rules of Origin	I
170-FIN	General Preferential Tariff Orders	I
171-FIN	GATT and Other Trade Agreements	I
172-FIN	GPT for Caribbean Commonwealth Countries	I
173-FIN	Vessel Duty Removal/Reduction	I
174-FIN	Most-Favoured-Nation Tariff Treatment	I
175-FIN	Handicraft Goods Order	I
176-FIN	Preferential Tariff for Certain Commonwealth Countries	I
177-FIN	General Amending Orders	I
178-FIN	Remission of Duties	I

1991 Plan Number	Title	Status
179-FIN	"Snapback" Tariffs on Fresh Fruits and Vegetables	I
180-FIN	Tax on Investment Income of Life Insurers	I
181-FIN	GST Related Regulations	S
182-FIN	Income Tax Regulations Consequential on Bill C-139 (SC 1988, c.55)	S
183-FIN	Pension Reform – Income Tax Regulations	D
184-FIN	Technical Changes to Income Tax Regulations	S
185-FIN	Regulations Arising from the 1989 Budget	F
186-FIN	Other Budget Regulations	I
187-FIN	Logging Tax Credits	D

Department of Justice Canada

1991 Plan Number	Title	Status
188-JUS	Addition of Procurement Review Board of Canada to Schedule I to the Access to Information Act and the Schedule to the Privacy Act	P
188-JUS	Addition of Emergency Preparedness Canada to Schedule I to the Access to Information Act and the Schedule to the Privacy Act	NS
188-JUS	Addition of the Federal Office for Regional Development – Quebec to Schedule I to the Acces the Information Act and the Privacy Act	NS
188-JUS	Addition of the Canadian Secretariat to Schedule I to the Access to Information Act and the Schedule to the Privacy Act	W
189-JUS	Extending the Privacy Act to Crown Corporations	DI
190-JUS	Approved Breath Analysis Instruments Order, Approved Screening Devices Order, Approved Blood Sample Container Order	DI
191-JUS	Schedule – Foreign States that are Parties to a Treaty for Mutual Legal Assistance in Criminal Matters	F
192-JUS	Garnishment of Canada Pension Plan Payments	F
193-JUS	Statutory Instruments Regulations	FI
194-JUS	Regulatory Initiatives Under Development: Firearms	DI
195-JUS	Statutes of Canada, Loose-leaf Edition Distribution Order	DI

Department of the Secretary of State of Canada

1991 Plan Number	Title	Status
196-SS	Canada Student Loans Program – Spending Reduction Measures a/ default deterrence measures b/ three per cent guarantee fee	NDI/F
197-SS	Changes in Canada Student Loans Program	NDI
198-SS	Canada Student Loans: Interest on Loans to Part-time Students	FI

Emergency Preparedness Canada

1991 Plan Number	Title	Status
201-EPC	Orders-in-Council Pursuant to Paragraphs 9(c) and (d), Emergency Preparedness Act	SI
202-EPC	Disaster Financial Assistance Regulations	W
203-EPC	Civil Emergency Preparedness Management Order	DI

Employment and Immigration Canada

1991 Plan Number	Title	Status
204-EIC	Unemployment Insurance Regulations – Teachers Off-Work Periods	ND
205-EIC	Unemployment Insurance Regulations – Revision of Earnings Definition and Allocation Provisions	ND
206-EIC	Unemployment Insurance Regulations – Housekeeping Amendments	NS
207-EIC	Unemployment Insurance Regulations – Workers' Compensation and Disability Pensions	NW
208-EIC	Unemployment Insurance Regulations – Residents Outside Canada	ND
209-EIC	Unemployment Insurance Regulations – Record of Employment	NS
210-EIC	National Training Regulations – Rate of Training Allowances	F
211-EIC	Developmental Assistance – Course Costs Assistance and Supplementary Training Assistance	F
212-EIC	Developmental Assistance – Relocation and Job Search Assistance	NDI
213-EIC	Developmental Assistance – Re-employment Incentives Assistance	ND
214-EIC	Developmental Assistance – Entrepreneurship and Self-Employment Assistance	ND
215-EIC	Developmental Assistance – Expenditure Plan	NS
216-EIC	Unemployment Insurance Regulations – Amendment – Regional Boundaries of UI Economic Regions	F
217-EIC	Immigration Visa Exemption Regulations	FSI

1991 Plan Number	Title	Status
218-EIC	Immigration Exemption Regulations	FSI
219-EIC	Revocation of an Immigration Visa Exemption Regulation	SI
220-EIC	Immigration Act, Fees Regulations New and Modified Fees	FI
221-EIC	Immigration Regulations, 1978 – Applications for Permanent Residence from Within Canada	NDI
222-EIC	Immigration Regulations, 1978 – Authorization for Holders of Minister's Permits in Canada to Apply for Student Authorizations	NDI
223-EIC	Immigration Regulations, 1978 – Definition of Assisted Relative	W
224-EIC	Immigration Regulations, 1978 – Exempt Commonwealth Caribbean Seasonal Agricultural Workers from Visitor Visa Requirements	NDI
225-EIC	Immigration Regulations, 1978 – Visitor Visa Exemptions	FSI
226-EIC	Immigration Regulations, 1978 – Conformity with Revised Statutes, 1985	NDI
227-EIC	Immigration Regulations, 1978 – Immigrant Investor Program Enforcement Concerns	NW

Energy, Mines and Resources Canada

1991 Plan Number	Title	Status
79-COGLA	Nova Scotia Offshore Area Petroleum Drilling	NDI
80-COGLA	Newfoundland Offshore Area Petroleum Production and Conservation	NDI
81-COGLA	Nova Scotia Offshore Area Petroleum Production and Conservation	NDI
82-COGLA	Canada Oil and Gas Installations	NDI
83-COGLA	Newfoundland Offshore Area Petroleum Installations	NDI
84-COGLA	Nova Scotia Offshore Area Petroleum	NDI
85-COGLA	Canada Certificate of Fitness	NDI
86-COGLA	Newfoundland Certificate of Fitness	NDI
87-COGLA	Nova Scotia Certificate of Fitness	NDI
88-COGLA	Petroleum Occupational Safety and Health – Newfoundland	NDI
89-COGLA	Petroleum Occupational Safety and Health – Nova Scotia	NDI
90-COGLA	Canada Oil and Gas Geophysical	NDI
91-COGLA	Newfoundland Offshore Area Petroleum Geophysical	NDI
92-COGLA	Nova Scotia Offshore Area Petroleum Geophysical	NDI
93-COGLA	Frontier Lands Petroleum Land Division and Survey	NDI
94-COGLA	Newfoundland Offshore Area Petroleum Land Division and Survey	NDI
95-COGLA	Nova Scotia Offshore Area Petroleum Land Division and Survey	NDI
96-COGLA	Nova Scotia Offshore Area Petroleum Diving	NDI
97-COGLA	Nova Scotia Offshore Area Petroleum Spills and Debris Liability	NDI
98-COGLA	Nova Scotia Resources (Ventures) Limited Drilling Assistance	NDI
99-COGLA	Nova Scotia Offshore Area Petroleum Operations	ND
100-COGLA	Canada Oil and Gas Operations	ND
101-COGLA	Newfoundland Offshore Area Oil and Gas Operations	ND
228-EMR	Fees for Licences and Permits	NSI
229-EMR	Identification of Purchaser of Blasting Explosives	NDI
230-EMR	Energy Monitoring – 1990 Petroleum Survey, Annual Amendment	F
231-EMR	Energy Monitoring – 1991 Petroleum Survey, First Year	F
232-EMR	Petro-Canada Transactions Authorization Order, 1991	F

Environment Canada

1991 Plan Number	Title	Status
233-EC	Ozone-depleting Substances – No. 1 and No. 2, No. 3, First Amendment, Second Amendment	NDI/ND/NDI
234-EC	Chlorobiphenyls	ND
235-EC	New Substances Notification – First, Polymers and Chemicals, Second, Biotechnology Products	ND/NDI
236-EC	Export of Toxic Substances	ND
237-EC	Confidential Information Disclosure	NDI
238-EC	Contaminated Fuel	F
239-EC	Regulations for the Export and Import of Hazardous Waste	NDI
240-EC	Hazardous Waste Management at Federal Facilities	ND
241-EC	Air Emissions Regulations for Boilers at Federal Facilities	PD
242-EC	Non-hazardous Solid Waste Incinerators at Federal Facilities	ND
243-EC	Diesel Fuel Quality Regulations	ND
244-EC	Ocean Dumping Regulations	NDI
245-EC	Environmental Protection Board of Review Rules	ND
246-EC	Vinyl Chloride Release	PD
247-EC	Migratory Birds – Annual Game Bird Hunting	P

1991 Plan Number	Title	Status
248-EC	Migratory Birds – Designation of Non-toxic Shot Hunting Zones	F
249-EC	Migratory Birds – Habitat Conservation Stamp Fee Increase	F
250-EC	Migratory Birds – General	NDI/NW
251-EC	Migratory Bird Sanctuary – Seasonal Sanctuary	PS
252-EC	Migratory Bird Sanctuary – Prince Leopold Island	NDI
253-EC	Migratory Bird Sanctuary – General	NW
254-EC	Wildlife Area Regulations – Portobello Creek	NDI
255-EC	Wildlife Area Regulations – Île Mousseau	NDI
256-EC	Wildlife Area Regulations – Last Mountain Lake	NDI
257-EC	Wildlife Area Regulations – General	NDI
258-EC	Fees and Charges for Special Services	W
259-EC	National Parks – Garbage Removal Fees	W
260-EC	National Parks – Water and Sewer Services Fees	W
261-EC	Town of Jasper Streetworks Taxes	ND
262-EC	National Parks – General	F
263-EC	National Parks Fishing – Seasonal Adjustments	W
264-EC	National Parks – Wilderness Areas	NDI
265-EC	National Parks – Development	NS
266-EC	Canadian Parks Service – Documents and Services	NS
267-EC	Town of Jasper – Zoning	W
268-EC	Non-Profit Organization Utilities Fees Remission	NDI
269-EC	Proclamation of Gros Morne National Park	ND
270-EC	Proclamation of Pukaskwa National Park	NDI
271-EC	Historic Canals	NDI
272-EC	Water Power Regulations	FI
273-EC	National Historic Parks Order	NDI
274-EC	Environmental Assessment Procedures	NDI
275-EC	Exclusion List	NDI
276-EC	Mandatory Environmental Assessment Study List and Report	NDI
277-EC	Regulatory Statutes Provisions List	NDI
278-EC	Crown Corporations and Harbour Commissions	NDI
279-EC	Indian Act Lands	NDI
280-EC	Domestic Financial Assistance	NDI
281-EC	National Security	NDI
282-EC	Projects Outside Canada	NDI

1991 Plan Number	Title	Status
283-EC	Offshore Boards	NDI
284-EC	International Agreements	NDI
285-EC	International Development Assistance	NDI

External Affairs and International Trade Canada

1991 Plan Number	Title	Status
286-EAITC	Export Control List	F
287-EAITC	Import Control List – Harmonized System	NDI
288-EAITC	Import Control List – Textiles and Clothing	NDI
289-EAITC	Import Control List – Textiles and Clothing	W
290-EAITC	General Import Permits – Textiles and Clothing	NDI
291-EAITC	Import Control List – Textiles and Clothing	W
292-EAITC	Privileges and Immunities Order	F
293-EAITC	Technical Assistance Regulations (TAR)	S
294-EAITC	Softwood Lumber Products Export Charge Act	F

Fisheries and Oceans

1991 Plan Number	Title	Status
295-F&O	Review and Consolidation of Various Regulations	NDI
296-F&O	Revision of Prescribed Fines for Ticketable Offences	NDI
297-F&O	Fisheries Data Reporting and Record Keeping	NDI
298-F&O	Change in Co-ordinates of "Silver Hake Box"	W
299-F&O	Gutting of Groundfish at Sea	NDI
300-F&O	Lumpfish Fishery	NDI
301-F&O	Black Tickle Restricted Fishing Area	F
302-F&O	Gill Net Fishing Areas	NDI
303-F&O	Identification Markings on Shellfish Traps	NDI
304-F&O	Landing Lobster and Crab During Trap Setting Period	NDI
305-F&O	Prohibition on Retention of Soft-Shelled Crab	NDI
306-F&O	Permanent Tagging of Crab Traps	NDI
307-F&O	Lobster Fishing Area 18	NDI
308-F&O	Minimum Carapace Size of Lobsters	NDI
309-F&O	Lobster Fishing Areas 29 and 31	F
310-F&O	Boundary Between Lobster Fishing Areas 32 and 33	F
311-F&O	Lobster Fishing Areas 35 to 39	F
312-F&O	Description of Limits of Grande Entree Lagoon	NDI

1991 Plan Number	Title	Status
313-F&O	Scallop Harvesting/Conservation Areas in Bay of Fundy	NDI
314-F&O	Scallop Fishing Area 16	NDI
315-F&O	Prohibit Carrying Scallop Fishing Gear in Closed Areas	NDI
316-F&O	Recreational Scallop Fishing Catch Limits	NDI
317-F&O	Conservation Measures for Clams	NDI
318-F&O	Licence Requirement for Marine Plants	W
319-F&O	Fixed Gear Locating Devices	NDI
320-F&O	Registration of Fish Transport and Processing Vessels	F
321-F&O	Protection of St. Lawrence Beluga	NDI
322-F&O	Conservation Measures for Beluga in Northern Quebec	NDI
323-F&O	Sportfishing – Salmon and Shellfish	NDI
324-F&O	Conservation Measures for Bowhead Whales	S
325-F&O	Quality Management Program	P
326-F&O	Rewrite of Regulations	D
327-F&O	Charges for Use of Harbour	NDI
328-F&O	Prohibition of Swimming in Scheduled Harbours	NDI
329-F&O	Parking, Goods Storage and Vessel Storage	NDI
330-F&O	Prohibition on Discharge of Offal, etc.	NDI
331-F&O	Revisions to Schedule I	NDI
332-F&O	Co-ordinate Changes for "White Head Hole" and "Silver Hake Box"	F
333-F&O	Fishing in Manitoba	D
334-F&O	Newfoundland Bait Service Fees	D
335-F&O	Ocean Data and Services Fees Order	NDI
336-F&O	Nautical Charts and Related Publications Fees Order	NDI
337-F&O	Rainbow Trout Waters	W
338-F&O	Valley Pond Salmon Fishery Area	NDI
339-F&O	New Cod Fishery Area	NDI
340-F&O	Tree River Arctic Char	F
341-F&O	Revision of Schedule of Waters for Commercial Fishing	F
342-F&O	Revision to Format of Schedule VI	F
343-F&O	Fishing in Ontario	F
344-F&O	Fishing Gear Provisions and Power Skiffs	NDI
345-F&O	Salmon Surplus to Spawning	F
346-F&O	Licence Categories and Conditions of Licences	NDI
347-F&O	Shrimp and Crab Gear	W
348-F&O	Fishing Oysters with Hand-Held Tongs	W
349-F&O	Fishing in Quebec in 1991	F
350-F&O	Fishing in Quebec in 1992	W
351-F&O	Rewrite of the Regulations	D
352-F&O	Bluefin Tuna	NDI
353-F&O	Clarification and Updating of Regulations	NDI
354-F&O	Ticketing	NDI

Health and Welfare Canada

(J) Initiative is with Privy Council Office/Department of Justice

(M) Initiative is with Minister's Office

355-HWC	Regulation of Drug Residues in Food	F
356-HWC	Non-medicinal Ingredient Labelling	DI(J)
357-HWC	Expiration Date for Drug Products	PSI
358-HWC	Drug Potency Limits	PSI
359-HWC	Format of New Drug Submissions	PSI(J)
360-HWC	Notifiable Changes for New Drugs	DNI
361-HWC	Preclinical New Drug Submission	DNI
362-HWC	Food and Drugs Act and Regulations – Schedules DGF and F Additions/Deletions/Corrections	PSI/NSI
363-HWC	Importation of Human Pathogens	NDI(J)
364-HWC	Chloramphenicol for Veterinary Use	PSI(M)
365-HWC	Canadian Agent for Imported Drugs	PDI
366-HWC	Housekeeping Changes to Drug Regulations	NSI
367-HWC	Labelling of Veterinary Products	NDI
368-HWC	Hazardous Products References	NSI(M)
369-HWC	Clarification of Names	NDI(M)
370-HWC	Notifiable Changes for Proprietary Medicines	NDI
371-HWC	Drug Colouring Agents: Additions/Deletions/Corrections	SI
372-HWC	Emergency Drug Release Program	NDI
373-HWC	Restricted and Narcotic Drugs	SI
374-HWC	Parenteral Requirements	NDI
375-HWC	Child Resistant Packaging for Fluoride Products	NDI
376-HWC	Acetylsalicylic Acid (ASA) and Reye Syndrome	NDI(M)
377-HWC	Drug Submission Rejection at Screening Review	NDI
378-HWC	Child Resistant Packaging – Reference Standard	NDI
379-HWC	Feeds Containing Investigational, Emergency or Experimental Drugs	NDI
380-HWC	Regulations for a Drug Identification Number (DIN) – Revisions	NDI
381-HWC	Bilingual Labelling Requirements for Medical Devices	NDI(J)

1991 Plan Number	Title	Status
382-HWC	Good Design and Manufacturing Practices for Medical Devices	NDI
383-HWC	Investigational Use and Emergency Release of Medical Devices	PDI(J)
384-HWC	Standard for the Labelling of In-vitro Diagnostic Test Devices	NDI
385-HWC	Cardiac Pacemakers	NSI(J)
386-HWC	Contraceptive Devices	NDI
387-HWC	Disposable Insulin Syringes	NDI
388-HWC	Changes to the Premarket Review Status of Medical Devices	PDI
389-HWC	Standard for Hearing Aids	NDI
390-HWC	Removal of the 60-day Review Period for New Device Submissions	NDI
391-HWC	Medical Devices – Exemption from Notification Requirements	NDI
392-HWC	Housekeeping Amendments to Medical Devices Regulations	NDI
393-HWC	Computed Tomography X-ray Equipment	NDI
394-HWC	Standard for Laser Equipment	NDI
395-HWC	Standards for Medical Electron Accelerators	NDI(J)
396-HWC	Diagnostic X-ray Equipment	NDI(J)
397-HWC	Extra-Oral Dental X-ray Equipment	NDI(J)
398-HWC	X-ray Diffraction Equipment	NDI
399-HWC	Television Receivers	NDI(J)
400-HWC	Housekeeping Amendments to Radiation Emitting Devices Regulations	F
401-HWC	Radiation Dosimetry Fees	NDI
402-HWC	Tobacco Products Control Regulations	ND
403-HWC	Housekeeping Amendments to Tobacco Product Control Regulations	NDI
404-HWC	Aflatoxin	NDI
405-HWC	Bottled Water	NDI
406-HWC	Dioxins	NDI
407-HWC	Notification of Filing of Food Additive Submission in Part I of the Canada Gazette	NDI(J)
408-HWC	Foods for Infants and Special Dietary Uses	PSI
409-HWC	Substitute Milks and Cheeses	ND
410-HWC	Amino Acid Addition to Food	W
411-HWC	Enrichment of Alimentary Paste	NDI(J)
412-HWC	Harmonization of Food Compositional Standards	NDI(J)
413-HWC	Emergency Regulations	–
414-HWC	Revision of Standards and Terminology for Distilled Alcoholic Beverages	PDI

1991 Plan Number	Title	Status
415-HWC	Housekeeping Amendments to Food Regulations	F
416-HWC	Routine Enabling Amendments under the Food and Drug Regulations	F/PSI/NSI
417-HWC	Fat Content of Ground Meat	NDI
418-HWC	Good Manufacturing Practices for Foods	ND
419-HWC	Eligibility for the Child-rearing Drop-out Provision under the Canada Pension Plan	W
420-HWC	Removal of Schedule of International Social Security Agreement under the Canada Pension Plan	NDI
421-HWC	Clarification of Wording – Canada Pension Plan	W
422-HWC	Removal of Schedule of International Social Security Agreements under the Old Age Security Act	NDI
423-HWC	Sanitation Regulations for Common Carriers	NI

Indian and Northern Affairs Canada

1991 Plan Number	Title	Status
424-INAC	Cree-Naskapi Band Expropriations	NDI
425-INAC	Cree-Naskapi Special Band Meetings	NDI
426-INAC	Cree-Naskapi Band Referenda	NDI
427-INAC	Inuk of Fort George Observer	NDI
428-INAC	Authority for Specific Agreements-Ontario	NDI
429-INAC	Indian Estates	NDI
430-INAC	Indian Oil and Gas	NDI
431-INAC	Federal Government Employee Land Acquisitions	F
432-INAC	Territorial Lands	NDI
433-INAC	Reindeer-Northwest Territories	NDI
434-INAC	Yukon Forest Protection	NDI
435-INAC	Yukon Timber	NDI
436-INAC	Placer Mining Authority	NDI
437-INAC	Northwest Territories Mining Districts	W
438-INAC	Yukon Mining Lease Renewals	F
439-INAC	Yukon Work Relief Orders	F
440-INAC	Yukon Mining-Staking Prohibitions	F
441-INAC	Yukon Business Loans	NDI
82-COGLA*	Canada Oil and Gas Installations	NDI
85-COGLA*	Canada Certificate of Fitness	NDI
90-COGLA*	Canada Oil and Gas Geophysical	NDI
93-COGLA*	Frontier Lands Petroleum Land Division and Survey	NDI

1991 Plan Number	Title	Status
100-COGLA*	Canada Oil and Gas Operations	ND

*Regulatory responsibilities reverted to INAC following disbandment of COGLA in April 1991.

Labour Canada

442-LAB	Government Employees Compensation Regulations	NDI
443-LAB	Occupational Safety and Health (OSH) Regulations – Renumbering the Canada Labour Code	ND
444-LAB	Occupational Safety and Health (OSH) Regulations – Amendments to Part II (Building Safety)	ND
445-LAB	Canada Occupational Safety and Health (OSH) Regulations – Revisions to Part VII (Levels of Sound)	F
446-LAB	Canada Occupational Safety and Health (OSH) Regulations – Revisions to Part X (Hazardous Substances)	ND
447-LAB	Occupational Safety and Health (OSH) Regulations – Amendments to Part XI (Confined Spaces)	NDI
448-LAB	Occupational Safety and Health (OSH) Regulations – Amendments to Part XIV (Materials Handling)	ND
449-LAB	Aviation Occupational Safety and Health (OSH) Regulations – Revisions	ND
450-LAB	On Board Trains Occupational Safety and Health (OSH) Regulations – Revisions	ND
451-LAB	Marine Occupational Safety and Health (OSH) Regulations – Revisions	NDI
452-LAB	Oil and Gas Occupational Safety and Health (OSH) Regulations – Revisions	ND
453-LAB	Occupational Safety and Health (OSH) Regulations for Uranium and Thorium Mines – Revisions	NDI
454-LAB	Canada Labour Standards Regulations	FI

Multiculturalism and Citizenship Canada

199-MC	Citizenship Regulations	D
200-MC	Citizenship Fees	NI

National Capital Commission

455-NCC	National Capital Commission Property Regulations	PDI

National Defence

456-ND	Greenwood Airport Zoning Regulations	NDI
457-ND	Shearwater Airport Zoning Regulations	NDI
458-ND	Comox Airport Zoning Regulations	NDI
459-ND	Moose Jaw Airport Zoning Regulations	NDI

1991 Plan Number	Title	Status

Office of the Commissioner for Federal Judicial Affairs

460-FJA	Canada Federal Court Reports Fees Order	ND

Office of the Superintendent of Financial Institutions Canada

461-OSFI	Financial Sector Reform	NDI
462-OSFI	Pension Benefits Standards – Fee Increases – Other Items	F/NDI
463-OSFI	Capital Standards for Life Insurance Companies	NDI
464-OSFI	Bank Service Charges	NDI
465-OSFI	Assessment of Expenses against Supervised Financial Institutions	NDI
466-OSFI	Investment Valuation Rules for Canadian Life Insurance Companies	PDI
467-OSFI	Protection of Securities	PDI
468-OSFI	Bank Act – Ministerial and Other Orders	R
469-OSFI	Supervision of Financial Institutions – Miscellaneous	R

Public Works Canada

470-PWC	Dry Docks: Lauzon, Quebec; Selkirk, Manitoba; Esquimalt, British Columbia – Rate Revisions	S

Revenue Canada, Customs and Excise

Customs

471-RC:CE	Automotive Machinery and Equipment Remission Orders	RI
472-RC:CE	Display Goods Temporary Importation Regulations	ND
473-RC:CE	Drawback Claims Remission Order	RI
474-RC:CE	Duties Relief Regulations	NDI
475-RC:CE	International Bridge and Tunnel Customs Facilities Regulations	W
476-RC:CE	Presentation of Persons (Customs) Regulations	W
477-RC:CE	Refund of Duties Regulations	F
478-RC:CE	Remission of Duties	RI
479-RC:CE	Reporting of Exported Goods Regulations	ND
480-RC:CE	Special Services (Customs) Regulations	NDI
481-RC:CE	Temporary Importation of Vessels Remission Order	RI
482-RC:CE	Temporary Importation Regulations	NDI
483-RC:CE	Temporary Importation Remission Orders	RI
484-RC:CE	Used Motor Vehicle Exemption Regulations	RI

1991 Plan Number	Title	Status
Excise		
485-RC:CE	Brewery Departmental Regulations	NDI
486-RC:CE	Distillery Departmental Regulations	NDI
487-RC:CE	Distillery Regulations	P
488-RC:CE	Importation of Denatured Alcohol Regulations	W
489-RC:CE	Manufacturers in Bond Departmental Regulations	NDI
490-RC:CE	Tobacco Departmental Regulations	NDI
491-RC:CE	Tobacco Regulations	P
Miscellaneous		
492-RC:CE	Amendment to Regulations and Orders Pursuant to Customs and Excise Regulations	RI
493-RC:CE	GST-Related Amendments	F
494-RC:CE	Miscellaneous Amendments (Standing Joint Committee for the Scrutiny of Regulations)	RI
495-RC:CE	Remission of Taxes Paid or Payable Under Excise Regulations	RI

Revenue Canada, Taxation

496-RCT	Income Tax Regulations – Part I and Schedule I	F
	Part II	F
	Part IX	F
	Part XXVI	WI
	Part XXX	N
	Schedule VIII	F
497-RCT	Canada Pension Plan Regulations – Regulations and Schedule I	WI/S
497-RCT	Schedules IV, V, VI, VII and VIII	WI
498-RCT	Canada Pension Plan – Delegation of Powers	WI
499-RCT	Unemployment Insurance – Collection of Premiums	F
500-RCT	Unemployment Insurance – Delegation of Powers	WI
501-RCT	Petroleum and Gas Revenue Tax Regulations	WI
502-RCT	Advance Rulings Fees Order	S
503-RCT	Special Services Fees Order	F
504-RCT	Fees for Photocopies of Charitable Organizations' Returns Order	WI

Solicitor General Canada

506-SGC	Transfer of Offenders Act Schedule	FI
507-ERC	RCMP – ERC Rules of Practice and Procedure	NS
508-NPB	Parole Regulations	NDI
509-CSC	Inmate Accident Compensation	W

1991 Plan Number	Title	Status
510-CSC	Offender Assistance	W
511-CSC	Intermediary Offence	NDI
512-CSC	Discharge	P
513-CSC	Searching Procedures	DI
514-CSC	Reading Materials	DI
515-CSC	Duty of Members	NDI
516-CSC	Sale of Custom Work	NDI
517-CSC	Deputy Heads of the Public Service of Canada Order	ND
518-RCMP	RCMP Superannuation Regulations – 8(1)	DI
519-RCMP	RCMP Regulations, 1988-20(6)	F
520-RCMP	RCMP Regulations, 1988-64	F
521-RCMP	Fees for the RCMP Musical Ride	D
522-RCMP	Fees for the Training of Police Dogs	DI
523-RCMP	Transfers or Lease of Materiel of the RCMP	NI
524-RCMP	RCMP Regulations, 1988	NI
525-RCMP	RCMP Regulations, 1988-36(a)	DI
526-RCMP	RCMP Regulations, 1988-92(1)(u)	W

Transport Canada

527-TC	Air Services Fees Regulations	NDI
528-TC	Air Regulations (Section 820)	NSI
529-TC	Coast Guard Radio Station Charges Regulations	ND
530-TC	Marine Navigation Aids and Services Fees Regulations	NDI
531-TC	Increases in Fees for Ship Safety Services	ND
532-TC	Security Deposit Regulation	W
533-TC	Designated Provisions Regulation	NS
534-TC	Air Carrier Provision of Information Regulations	NDI
535-TC	Atlantic Region Selective Assistance Regulations	ND
536-TC	Aviation War Risks Insurance – Regulations	NDI
537-TC	Commercial Drivers Hours of Service	NDI
538-TC	Substance Use in Canadian Transportation Regulations	NDI
539-TC	Ports Canada Police By-law	ND
540-TC	Montreal Harbour Dues By-law	ND
541-TC	Montreal and Saint John Port Corporation Administrative By-laws	NDI
542-TC	Vancouver Port Corporation Navigation Restriction By-law	NDI
543-TC	Canada Ports Corporation Act Harbour Dues By-laws	NS

1991 Plan Number	Title	Status
544-TC	Airport Vehicle Parking Charges Regulations:Fee Changes	P
545-TC	Airport Ground Transportation Fees Regulations	F
546-TC	Government Airport Concession Operations Regulations	NDI
547-TC	Airport Traffic Regulations	ND
548-TC	Airport Operations Regulations	NDI
549-TC	Improved Flammability Standards for Materials Used in the Interiors of Large Aeroplanes – Air Navigation Order, Series II, No. 32	NDI
550-TC	Protective Breathing Equipment – Air Navigation Order, Series II, No. 31	ND
551-TC	Survival Equipment and Radio Communication Systems – Air Navigation Order, Series V, No. 12	ND
552-TC	Aircraft Noise Operating Restrictions – Air Navigation Order, Series II, No. 27	ND
553-TC	Life Saving Equipment – Air Navigation Order, Series II, No. 8	ND
554-TC	Flight Simulators – Air Regulations, Sections, 101, 412, and 413	NDI
555-TC	Wing Contamination Training Requirements – Air Navigation Orders, Series VII, Nos. 2, 3 and 6	F
556-TC	Operations in Icing Conditions – Air Regulations (Section 540.2)	F
557-TC	Transponder and Automatic Pressure Altitude Reporting Equipment – Air Navigation Order, Series II, No. 10	PI
558-TC	Flight Time Limitations – Air Navigation Orders, Series VII, Nos. 2, 3 and 6	ND
559-TC	Leased Aircraft Registration – Air Regulations, Series II, No. 3	ND
560-TC	Personnel Licensing – Air Regulations, Series IV	NDI
561-TC	Aeroplane Fire Protection – Air Navigation Orders, Series II, Nos. 28, 29 and 30	28= F 29=PI 30= F
562-TC	Aerodromes – Air Regulations, Series III	PI
563-TC	Aircraft Operating – Air Regulations, Series VI	NI
564-TC	Commercial Air Operations – Air Regulations, Series VII	NI
565-TC	Cockpit Voice Recorder; Flight Data Recorder – Air Navigation Orders, Series II, Nos. 13 and 14	NI
566-TC	Landplanes – Air Regulations (Section 539)	PDI
567-TC	Airport Zoning Regulations	FPI
568-TC	Non-pleasure Craft Sewage Pollution Prevention Regulations	P

1991 Plan Number	Title	Status
569-TC	Collision Regulations	F
570-TC	Navigation Appliances and Equipment Regulations	NDI
571-TC	Safety Convention Ship Certificate Regulations	NDI
572-TC	Tackle Regulations	ND
573-TC	Safe Container Convention Regulations	ND
574-TC	Medical Examination of Seafarers Regulations	NDI
575-TC	Manning Regulations	NDI
576-TC	Certification Regulations	NDI
577-TC	Tonnage Measurement of Ships	NDI
578-TC	Life Saving Equipment Regulations	ND
579-TC	Boating Restriction Regulations	F
580-TC	Small Vessel Regulations – Construction Standards	ND
581-TC	Small Vessel Regulations – SOLAS	ND
582-TC	Barge Regulations	ND
583-TC	Oil Pollution Prevention Regulations	ND
584-TC	Noxious Liquid Substances Regulations	NDI
585-TC	Pollution Incident Reporting Regulations	ND
586-TC	Pleasure Craft Sewage Pollution Prevention Regulations	P
587-TC	Ship Station Radio Regulations 1992	ND
588-TC	Ship Station Radio Regulations	ND
589-TC	Ship-source Oil Pollution Fund Levy Regulations	NDI
590-TC	Tanker Safety Public Review Panel Report Recommendations (1990)	W
591-TC	Ship Station Technical Regulations 1992	ND
592-TC	Ship Station Technical Regulations	ND
593-TC	Ship Station Technical Regulations	ND
594-TC	Government Wharves Regulations	NDI
595-TC	Public Harbours Regulations	NDI
596-TC	Public Harbours and Public Ports Facilities Designation Regulations	NDI
597-TC	Government Wharves Regulations	F
598-TC	Public Harbours Regulations	F
599-TC	Thunder Bay Harbour Commission By-laws	NDI
600-TC	Oshawa Harbour Commission By-laws – Tariff	NDI
601-TC	Port Alberni Harbour Commission By-laws	NDI
602-TC	Windsor Harbour Wharf By-law	NDI
603-TC	Windsor Harbour Commission General By-laws	NDI
604-TC	Windsor Harbour Cargo Rates and Harbour Dues By-law	NDI

1991 Plan Number	Title	Status
605-TC	Windsor Harbour Wharf By-law	NDI
606-TC	North Fraser Harbour Commission Operating By-law	NDI
607-TC	North Fraser Harbour Commission Tariff By-law	NDI
608-TC	Toronto Harbour Commissioners' Toronto Island Airport Regulation and Control By-law	NDI
609-TC	Toronto Harbour Commission By-law – Berthing Areas	NDI
610-TC	Toronto Harbour Licensing By-law	ND
611-TC	Fraser River Harbour Commission By-laws – Punishment	NDI
612-TC	Fraser River Harbour Commission By-laws – Tariff	ND
613-TC	Thunder Bay Harbour Tariff By-law – 1991 Tariff Increase	NDI
614-TC	Atlantic Pilotage Authority Regulations	NDI
615-TC	Great Lakes Pilotage Tariff Regulations	F
616-TC	General Pilotage Regulations	NDI
617-TC	Laurentian Pilotage Authority Regulations	NI
618-TC	Great Lakes Pilotage Regulations	PDI
619-TC	Pacific Pilotage Contiguous Waters Regulations	NDI
620-TC	Safety Critical Positions	NDI
621-TC	Railway Fencing Regulations	W
622-TC	Minimum Setback Regulations	NDI
623-TC	Railway/Road Crossing Safety Regulations	NDI
624-TC	Motor Vehicle Safety Regulations, Importation of Used Vehicles	ND
625-TC	Motor Vehicle Safety Regulations, Standard 115: Vehicle Identification Number	NDI
626-TC	Motor Vehicle Safety Regulations, Section 202 – Head Restraints	NDI
627-TC	Motor Vehicle Safety Regulations, Standard 208 – Seat Belt Installations	PI
628-TC	Motor Vehicle Safety Regulations, Standard 208.1 – Seat Belt Installations, Alternate Crash Protection Criteria	PI
629-TC	Motor Vehicle Safety Regulations, Standards 108 and 112 – Lighting Harmonization	NDI
630-TC	Motor Vehicle Safety Regulations, Standards 101 and 123 – Motor Vehicle Controls and Displays	PI
631-TC	Motor Vehicle Safety Regulations, Standard 1101 – Emission Control Label	NDI
632-TC	Motor Vehicle Safety Regulations, Standard 1101 – Unleaded Fuel Label	NDI
633-TC	Motor Vehicle Safety Regulations, Standard 1103 – Exhaust Emissions	NDI
634-TC	Motor Vehicle Safety Regulations, Standards 903 and 904 – C-Dolly Requirements	NDI
635-TC	Motor Vehicle Safety Regulations, Standard 121 – Air Brakes	PI
636-TC	Motor Vehicle Safety Regulations, Standard 105 – Hydraulic Brake Systems	F
637-TC	Motor Vehicle Safety Regulations, Standard 106: Brake Hoses; and Standard 116: Brake Fluid	ND
638-TC	Transportation of Dangerous Goods Regulations – Infectious Substances[1] and Biomedical Waste[2]	1 = NDI 2 = NDI
639-TC	Transportation of Dangerous Goods Regulations – Packaging and Cylinders	PD
640-TC	Transportation of Dangerous Goods Regulations – Highway and Portable Tanks	NDI
641-TC	Transportation of Dangerous Goods Regulations – Tank Car Tanks	PS
642-TC	Transportation of Dangerous Goods Regulations – Waste Notification	NDI
643-TC	Transportation of Dangerous Goods Regulations – Schedule II (Lists)	NDI
644-TC	Transportation of Dangerous Goods Regulations – Omnibus	N
645-TC	Transportation of Dangerous Goods Regulations – Miscellaneous Amendments for Rail Transport	NI

Treasury Board of Canada Secretariat

1991 Plan Number	Title	Status
646-TBS	Pension Protection (Recurring Initiative)	NDI
647-TBS	Official Languages – Communications with and Services to the Public	P
648-OCG	Assignments of Crown Debt Regulations	F

Veterans Affairs Canada

1991 Plan Number	Title	Status
649-VAC	Veterans Health Care Program	DNI
650-VAC	Veterans Appeal Board Regulations	DNI
651-VAC	Pensioners Training Program	W

Atomic Energy Control Board

1991 Plan Number	Title	Status
652-AECB	Uranium Mines (Saskatchewan) – Occupational Health and Safety	NDI
653-AECB	Atomic Energy Control Regulations -- General Amendments	SNI

1991 Plan Number	Title	Status
654-AECB	Atomic Energy Control Regulations -- Radioactive Materials	NDI
655-AECB	Transport Packaging of Radioactive Materials	FSI
656-AECB	Uranium Mines (Ontario) -- Occupational Health and Safety	NSI
657-AECB	Cost Recovery Fees Regulations	FPSI

Canada Mortgage and Housing Corporation

658-CMHC	Mortgage-backed Securities Program	NDI
659-CMHC	Waiver of Fire and Property Insurance	NDI
660-CMHC	Requirement	W
661-CMHC	National Housing Loan Regulations	NDI
662-CMHC	Residential Renovation Policy	W
663-CMHC	Public Housing Regeneration	NDI
664-CMHC	Rural and Native Housing Mortgage Loan Insurance	W
665-CMHC	Co-operative Housing Program	W

Canada Post Corporation

666-CPC	Materials for the Use of the Blind	D
667-CPC	Privately Owned Lockbox Assemblies (Mail Entrapment)	PS

Canadian Radio-television and Telecommunications Commission

668-CRTC	Radio FM Policy	F
669-CRTC	Cable Television	F
670-CRTC	Specialty Services	NDI
671-CRTC	Pay Television	NDI

Copyright Board Canada

672-CB	Rules of Practice and of Procedure of the Copyright Board	NDI
673-CB	Regulation on the Deadline for Filing Claims Concerning Rights Arising from the Communication of a Work by Telecommunication	W

Elections Canada

674-ELC	Tariffs of Fees	F

Hazardous Materials Information Review Commission Canada

675-HMIRC	Fee Regulations	F
676-HMIRC	Appeal Board Procedures Regulations	NDI
677-HMIRC	Consequential Amendments to Appeal Board Procedures Regulations	NDI
678-HMIRC	Consequential Amendments to Hazardous Materials Information Review Regulations	NDI

1991 Plan Number	Title	Status

Immigration and Refugee Board

679-IRB	Convention Refugee Determination Division Rules	ND
680-IRB	Constitutional Question Notice (IAD Rules)	ND
681-IRB	Constitutional Questions Notice (CRDD Rules)	ND

National Energy Board

682-NEB	Cost Recovery Regulations	NDI
683-NEB	Export and Import Reporting Regulations	NDI
684-NEB	Onshore Pipeline Regulations	NDI
685-NEB	Offshore Pipeline Regulations	PD
686-NEB	Part VI Regulations	NDI
687-NEB	Regulations to Implement New Electricity Policy	NDI
688-NEB	Regulations Pertaining to Crossings Involving International Power Lines	NDI

National Transportation Agency of Canada

689-NTA	ATRs – Advance Payments Protection	NDI
690-NTA	ATRs – Designated Provisions	W
691-NTA	ATRs – Insurance Provisions	NDI
692-NTA	ATRs – International Charters	NDI
693-NTA	ATRs – International Tariffs and General Schedules	NDI
694-NTA	ATRs – Housekeeping Amendments	NSI
695-NTA	Terms and Conditions of Carriage of Disabled Persons in Large Aircraft (Combined with 697-NTA)	NDI
696-NTA	Terms and Conditions of Carriage of Disabled Persons in Small Aircraft	NDI
697-NTA	Special Air Fare Policy – Disabled Persons (Combined with 695-NTA)	NDI
698-NTA	Accessibility Standards – Disabled Persons – Transportation Terminals	NDI
699-NTA	Accessibility Standards – Transportation Equipment	NDI
700-NTA	Accessibility Standards – Training of Transportation Personnel	NSI
701-NTA	NTA General Rules	PS
702-NTA	Railway Lines Abandonment Regulations	PD
703-NTA	Details of Maps, Plans, Profiles, Drawings, Specifications and Books of Reference	NDI
704-NTA	Railway-Highway Crossing at Grade	NDI
705-NTA	Railway Grade Separations	NDI
706-NTA	Road Authority Accounts	NDI
707-NTA	Public Utility Relocation Accounting	NDI

1991 Plan Number	Title	Status
708-NTA	Pipe Crossings under Railways	NDI
709-NTA	Wire Crossings and Proximities	NDI
710-NTA	Telegraph and Telephone Lines – Height of Wires	NDI
711-NTA	Annual Rate Scale Order for Western Grain, 1991-92	F
712-NTA	Railway Costing Regulations	NDI
713-NTA	Railway Interswitching Rate Scale	NS

Procurement Review Board of Canada

1991 Plan Number	Title	Status
714-PRB	Procurement Review Board Regulations – Confidentiality of Documents used in Board Proceedings	W
715-PRB	Procurement Review Board Regulations – Elimination of Anomalies	NDI

Regulatory Program Evaluation Plan 1992

As part of the regulatory reform process, federal departments have undertaken a program of systematic review and evaluation of regulatory programs. Departmental program evaluations scheduled for completion in 1992 or early 1993 are described in this section.

Regulatory Program Evaluation Plan 1992

Agriculture Canada

Agriculture Stabilization Board/Agriculture Products Board
Contact: Carol Motuz
Director, Program Evaluation Division
Agriculture Canada
c/o Sir John Carling Bldg.
930 Carling Ave.
Ottawa, Ontario
K1A 0C5
(613) 994-1991
Date of Initiation: April 1992
Date of Completion: December 1992

National Tripartite Stabilization Program
Contact: Carol Motuz
Director, Program Evaluation Division
Agriculture Canada
c/o Sir John Carling Bldg.
930 Carling Ave.
Ottawa, Ontario
K1A 0C5
(613) 994-1991
Date of Initiation: June 1992
Date of Completion: March 1993

International Market Development Initiatives
(including those regulatory activities relating to trade barriers)
Contact: Carol Motuz
Agriculture Canada
Director, Program Evaluation Division
c/o Sir John Carling Bldg.
930 Carling Ave.
Ottawa, Ontario
K1A 0C5
(613) 994-1991
Date of Initiation: May 1991
Date of Completion: March 1992

Food Safety and Inspection
Contact: Carol Motuz
Agriculture Canada
Director, Program Evaluation Division
c/o Sir John Carling Bldg.
930 Carling Ave.
Ottawa, Ontario
K1A 0C5
(613) 994-1991
Date of Initiation: September 1992
Date of Completion: March 1993

Department of Finance

Money Laundering Related Record Keeping
Contact: J.F. McCollum
Chief, Industry Analysis and Relations
Financial Institutions Division
Department of Finance
Ottawa, Ontario
K1A 0G5
(613) 992-8302
Date of Initiation: January 1990
Date of Completion: March 1992

Fisheries and Oceans

Pacific Licensing, Allocation and Regulations
Contact: R. Bergeron
Director, Internal Audit and Evaluation
Department of Fisheries and Oceans
200 Kent St.
Ottawa, Ontario
K1A 0E6
(613) 993-1937
Date of Initiation: 1990
Date of Completion: March 1992

Evaluation of Fish Habitat Management, Restoration and Improvement
Contact: R. Bergeron
Director, Internal Audit and Evaluation
Department of Fisheries and Oceans
200 Kent St.
Ottawa, Ontario
K1A 0E6
(613) 993-1937
Date of Initiation: April 1991
Date of Completion: March 1992

Health and Welfare Canada

Medical Devices
Contact: Director, Program-Evaluation Division
Health and Welfare Canada
Trebla Bldg.
473 Albert St.
Ottawa, Ontario
K1A 0K9
(613) 957-3889
Date of Initiation: December 1991
Date of Completion: September 1992

Labour Canada

Evaluation Study of Federal Mediation and Conciliation Services

Contact: Denise Roberge
Director, Corporate Services
Labour Canada
Ottawa, Ontario
K1A 0J2
(819) 994-0728
Date of Initiation: September 1991
Date of Completion: September 1992

Revenue Canada, Customs and Excise

Penalty and Redress Mechanism Study

Contact: S. Sloan
Manager, Policy and Legislation Enforcement Directorate
Revenue Canada, Customs and Excise
10th Floor, S.R.S. Building
191 Laurier Ave. West
Ottawa, Ontario
K1A 0L5
(613) 954-0582
Date of Initiation: February 1991
Date of Completion: December 1992

Powers of Customs Officers - Peace Officer Status (F.L.E.U.R. study)

Contact: S. Sloan
Manager, Policy and Legislation Enforcement Directorate
Revenue Canada, Customs and Excise
10th Floor, S.R.S. Building
191 Laurier Ave. West
Ottawa, Ontario
K1A 0L5
(613) 954-0582
Date of Initiation: October 1990
Date of Completion: December 1992

Royal Canadian Mounted Police

RCMP Superannuation Regulations 8(1)

Contact: Supt J. Plomp
Compensation Branch
RCMP
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-1418
Date of Initiation: November 1991
Date of Completion: May 1992

RCMP Regulations, 1988, 48(1)(C)

Contact: Supt J. Plomp
Compensation Branch
RCMP
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-1418
Date of Initiation: February 1992
Date of Completion: September 1992

RCMP Superannuation Regulations 10(1)

Contact: Supt J. Plomp
Compensation Branch
RCMP
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-1418
Date of Initiation: February 1992
Date of Completion: December 1992

Fees for the RCMP Musical Ride

Contact: Supt J.G.L. Boivin
OIC Ceremonies Branch
Public Affairs Directorate
RCMP
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-7691
Date of Initiation: May 1992
Date of Completion: November 1992

Fees for the Training of Police Dogs

Contact: A/Commr. A. D. Lagassé
Director of Training
RCMP
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-3447
Date of Initiation: May 1992
Date of Completion: September 1992

Sale of Lease of Materiel of the RCMP

Contact: Supt. R.A. MacAlister
Materiel Management Branch
RCMP
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-3178
Date of Initiation: November 1991
Date of Completion: March 1992

Royal Canadian Mounted Police Regulations, 1988

Contact: Supt. J.E.P.C. Robitaille
Internal Affairs Branch
RCMP
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-2720.
Date of Initiation: January 1992
Date of Completion: July 1992

Royal Canadian Mounted Police Regulations, 1988 36(a)

Contact: Insp. R.D. Myhill
Staff Relations Branch
RCMP
1200 Vanier Parkway
Ottawa, Ontario
K1A 0R2
(613) 993-1394
Date of Initiation: April 1992
Date of Completion: October 1992

Transport Canada

Evaluation Assessment and Study of Marine Safety

Contact: J. Fisher
A/Director General, Program Evaluation
Transport Canada
Ottawa, Ontario
K1A 0N5
(613) 993-4418
Date of Initiation: September 1992
Date of Completion: September 1993

Evaluation Study of Railway Safety

Contact: J. Fisher
A/Director General, Program Evaluation
Transport Canada
Ottawa, Ontario
K1A 0N5
(613) 993-4418
Date of Initiation: July 1991
Date of Completion: January 1992

Hazardous Materials Information Review Commission

Hazardous Materials Information Review Commission

Contact: S. Watts
A/Director of Appeals
Hazardous Materials Information
Review Commission
66 Slater St., Suite 400
Ottawa, Ontario
K1A 0C9
(613) 993-4472
Date of Initiation: December 1992
Date of Completion: December 1993

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